



# NEW HAVEN PUBLIC SCHOOLS

## STUDENTS

## SERIES 5000

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## **Students**

### **Concepts and Roles in Student Policies**

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

Each child of each parent shall be given equal opportunity. However, children vary widely in capacities, interests, social and economic background. Therefore, no two can be treated exactly alike if the fullest development of each is to be achieved.

The Board of Education will attempt to erase any limitations of facilities and means that stand in the way of our school's availability to all who wish to learn.

Discrimination among students attending our schools with respect to race, color, religious creed, age, marital status, national origin, sex or physical disability is prohibited.

**Legal Reference:** Title IX of the Education Amendments of 1972 (42 U.S.C. 1134n et seq.)

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

**Connecticut General Statutes**

10-15c Discrimination in public schools prohibited.

**Policy adopted:** August 14, 1995

**NEW HAVEN PUBLIC SCHOOLS**  
New Haven, Connecticut

## **Students**

### **Admission/Placement**

#### **Admission**

The schools shall be open to all children five years of age on or before December 31st of the current school year. Exceptions from routine admission may be made by the Superintendent on the basis of supporting evidence from physical and psychological examinations.

According to Connecticut General Statute 10-76d(b2), special education will be provided for children who have attained the age of three and who have been identified as being in need of special education, and whose educational potential will be irreparably diminished without special education. If a special education student is being considered for an exception, the Planning and Placement Team (PPT) will make a recommendation to the Superintendent.

#### **Placement**

Children who apply for initial admission to the district's schools by transfer from nonpublic schools or from schools outside the district will be placed at the grade they would have reached elsewhere pending observation and evaluation by classroom teachers, guidance personnel, and the school principal.

After such observations and evaluations have been completed, the principal in conjunction with central office will determine the final grade placement of the children.

(cf. 5141.23 - Prevention of Disease Transmission in School)  
(cf. 5141.3 - Health Assessments and Immunizations)

**Legal Reference:** Connecticut General Statutes  
10-261 Definitions.  
10-15 Towns to maintain schools.  
10-15c School attendance by five year olds.

State Board of Education Regulations  
10-76d-7 Admission of student requiring special education (referral).  
10-76a - 10-76g re special education.

Policy adopted: August 14, 1995

NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut

## **Students**

### **School Attendance and Truancy**

Connecticut state law requires parents to ensure that their children attend school regularly during the hours and terms the public school is in session. The responsibility for regular attendance rests with the students' parents, guardians or with the students themselves when they become of legal age.

In order for students to develop to their full potential, the Board of Education deems it essential that students attend school on a regular basis. The learning experiences that occur in the classroom are considered to be meaningful and essential components of the learning process. Time lost from class tends to be irretrievable in terms of opportunity for instructional interaction.

### **Excused Absence**

The Board believes a student should not be absent from school without the parents' knowledge and consent, therefore verification of an absence should be in writing by parent or guardian.

An absence shall be considered "excused" when a child does not attend school due to:

- A. Illness or injury,
- B. Death in the immediate family,
- C. Religious obligation,
- D. Court appearance,
- E. School sponsored activity,
- F. An emergency, or
- G. Other exceptional circumstances. Written excuse for such absences should be submitted to school officials by the child's parent or guardian. All other absences with or without written explanation shall be considered unexcused.

### **Unexcused Absence**

Board policy with respect to unexcused absences stresses prevention and inquiry leading to remediation of absences. The schools will make all reasonable efforts to keep parents and students informed as to attendance problems and will make all reasonable efforts to help students improve their attendance when such improvement is warranted. Only when all local resources are exhausted is referral to legal authorities recommended.

### **Release of Student during School Day**

The Board recognizes the need for students to be in school for the full instructional day. It is encouraged that early dismissal should be requested only in emergency or unusual situations.

## Students

### School Attendance: Absences and Excuses

#### Release of Student during School Day (continued)

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

Dismissal before the normal end of the school day, the parent/guardian must sign the student out.

Students who become ill during the school day may be excused by the school nurse, and transportation home will be arranged by the parent.

#### Truancy

The Board of Education strives to provide each child with a continuing education which will prepare the student to assume adult roles and responsibilities. Therefore, regular attendance and punctuality are expected from all children enrolled in our schools. By statute, responsibility for assuring that students attend school rests with the parent(s) or other person having control of the child. Every effort must be made to keep absences and tardiness to a minimum. To assist parent(s) and others in meeting this responsibility, the Board of Education directs the administration to develop regulations regarding truancy.

Legal Reference: Connecticut General Statutes  
 10-184 Duties of parents.  
 10-199 through 10-202 Attendance, truancy in general.  
 10-221(b) Board of education to prescribe rules.  
*Campbell v New Milford*, 193 Conn 93 (1984).  
 10-184 Duties of parents (re mandatory schooling for children age seven or older and under sixteen years, inclusive).  
 10-186 Duties of local and regional boards of education re school attendance. Hearing. Appeal to state board. Establishment of hearing board.  
 10-233a-10-233f Inclusive, re: suspend, expel removal of pupils.  
 10-233c Suspension of pupils.  
 10-233d Expulsion of pupils.  
 State Board of Education Regulations

Policy adopted: August 14, 1995

NEW HAVEN PUBLIC SCHOOLS  
 New Haven, Connecticut

## **Students**

### **School Attendance: Absences and Excuses**

#### **Student Absences and Excuses**

Attendance at school every day is expected at New Haven Public Schools. Academic achievement is directly related to a student's attendance.

Positive attitudes regarding punctuality and attendance should be encouraged. Student tardiness and absenteeism are kept by the school and placed on the student permanent record.

It is the responsibility of the parents to ensure that their children attend school each day. In the cases of illness or other unavoidable circumstances that may prevent your child from attending school, parents are expected to contact the school each day. In the case of a long-term illness, parents must notify the school immediately in order that a special program of instruction can be developed. If a student cuts classes or school without permission the school will call home and take appropriate disciplinary action.

Parents will be contacted by the school each day a student is absent if notification from parent is not received.

A student may be retained in a grade with an absence of twenty or more days from school. An appeal process has been established to consider students with extenuating circumstances. Please contact your school for further information.

#### **High School Attendance Procedures**

When a student is absent, the following procedure will be adhered to:

1. Parents will be called each day that a student is absent from school.
2. All students who reach a total of five (5) absences will be placed on academic probation, and the parent will be notified in writing.
3. After the tenth (10th) absence, the student will have a formal hearing by a school attendance committee to determine course credit status. A letter will be sent home notifying parents they must contact the school to attend the hearing.

## **Students**

### **School Attendance: Absences and Excuses**

#### **High School Attendance Procedures (continued)**

4. If parents do not contact the school and the student reaches fifteen (15) absences, the school will send the parents a letter notifying them they will have 5 school days to contact the school for a formal hearing. If the parent does not comply, the student will be subject to administrative withdrawal if over 16 years old and lose all course credits if under 16 years old.
5. Extenuating circumstances such as illness, death in the family, fire, etc. Will be recognized by the New Haven Board of Education as excuses for a student to be absent from school. Any other absence will be deemed an unexcused absence.
6. All documentation and communication will be reviewed by the attendance committee to determine whether or not course credit is to be withheld.
7. Total course credit will be withheld unless the review committee determines otherwise.
8. The student and parent will be notified in writing when course credit is withheld.
9. Student attendance will be reviewed regularly after the formal hearing.
10. The student and parents will have the right to appeal the school attendance committee's decision to a central attendance review board. A written letter of appeal must be received in the principal's office within five (5) days of the school committee's decision. In the case of seniors, written appeal must be submitted two (2) weeks prior to graduation.

#### **Monitoring of Absences and Filing of Family with Services Needs (FWSN) Complaints**

Legislation requires the following actions:

1. The adoption and implementation of policies and procedures concerning truants and habitual truants by the Board of Education.
2. The legislation applies to students in grades K-8. However, the New Haven Public School will apply these procedures in grades K-12 as part of the dropout prevention program.



## **Students**

### **School Attendance: Absences and Excuses**

#### **Monitoring of Absences and Filing of Family with Services Needs (FWSN) Complaints (continued)**

3. **Truant - a student in a public or private school who has four unexcused absences in any one month or ten unexcused absences in any school year.**  
  
**Habitual Truant - a child who has 20 unexcused absences from school in any school year.**
4. **A meeting must be held with the parent or guardian of any child who is truant within ten (10) school days after the child's fourth unexcused absence in a month or tenth unexcused absence in a school year. The reasons for the students' truancy will be reviewed and evaluated at the meeting. At this time the Superintendent may file a written complaint with the Superior Court Juvenile Matters for a Family with Service Needs (FWSN).**
5. **The school must coordinate services and referrals with community agencies.**
6. **All K-8 parents or guardian must be notified of the policy annually at the beginning of the school year. All new students during the year will also receive notification of this policy upon enrollment. This notification will also state the parent's obligation pursuant to C.G.S. 10-184.**
7. **Annually, at the beginning of the school year, or upon enrollment, the school must obtain a phone number to contact the parent/guardian during the school day.**
8. **The school must have a system of monitoring individual unexcused absences of children in grades K-8. This system shall provide that whenever a child fails to report to school and the parents have not notified the school that a reasonable effort to notify, by telephone, the parent or guardian will be made.**
9. **Each month a letter is sent from the Superintendent to the parents or guardians of all truant students urging parents to meet with the school staff to devise a plan to help the student maintain regular attendance. The letter warns parents that a FWSN referral will be made on all habitual truants.**

**Students****School Attendance: Absences and Excuses****Monitoring of Absences and Filing of Family with Services Needs (FWSN) Complaints  
(continued)**

10. The Superintendent shall file a written complaint pursuant to C.G.S. 46b-149 for each habitual truant enrolled in the schools under his/her jurisdiction.
11. A Family with Service Needs (FWSN) referral will be made on all habitual truants on the form attached. As stated on the form, a PPT will be held to determine the appropriateness of the educational program.
12. The New Haven Public School must annually report to SDE on school-by-school basis the number of students enrolled in grades K-8 who are habitual truants. This report will also include gender, ethnicity, and the number of unexcused absences.

**Legal Reference: Connecticut General Statutes**

**10-198a Policies and procedures concerning truants.**

**Regulation approved: August 14, 1995**

**NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut**

ANNUAL NOTIFICATION OF OBLIGATIONS UNDER C.G.S. 10-184

Dear Parent/Guardian:

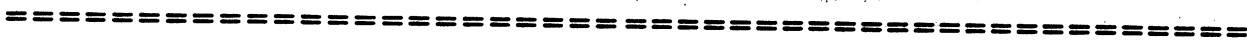
Connecticut law requires that the New Haven Public Schools provide you with this written notice of your obligations under Connecticut General Statute 10-184. This law provides that each parent or other person having control of a child seven years of age and older and under sixteen years of age is obligated to cause the child to attend school regularly during the hours and terms school is in session, unless such parent or other person shows that the child is elsewhere receiving equivalent instruction. Connecticut General Statute 10-185 provides that each day's failure to comply with these requirements is a separate offense, punishable by a \$25.00 fine.

Regular student attendance is essential to the educational process. Any child, even under age seven who is attending the New Haven Public Schools will be subject to the school district policies, including the attendance policy. So that we may seek to inform you if your child is absent without explanation, the law also requires that we obtain from you a telephone number or other means of contacting you during the school day. Please meet this obligation by filling out and promptly returning the form below.

Thank you for your cooperation.

Sincerely,

(Principal)



	FATHER	MOTHER
_____	_____	_____
Mother's Name (please print)	Address	Address
_____	_____	_____
	Home Phone	Home Phone
_____	_____	_____
Father's Name (please print)	Work Address	Work Address
_____	_____	_____
Name(s) of student(s):	Work Phone	Work Phone
_____	_____	_____
_____	Emergency Phone #1	Emergency Phone #2
_____	<i>(Relative, Friend, Neighbor)</i>	
_____		

Dear \_\_\_\_\_,

As you know, children must attend school on a regular basis in order to be successful. There is a compulsory school attendance law in Connecticut and parents and guardians are legally responsible for keeping their children in school. I'm sure that you want your child to do well in school and therefore, I'm writing to ask for your help. \_\_\_\_\_ has \_\_\_\_\_ unexcused absences from school. You have already received information from the \_\_\_\_\_ Public Schools explaining the attendance policy. This policy states that if a student is absent for more than twenty (20) days, he/she may not be promoted to the next grade.

This is serious problem and we all need to work together to solve it. Please contact \_\_\_\_\_, \_\_\_\_\_ immediately for an appointment. \_\_\_\_\_ will work with you and your child to improve school attendance.

Please call \_\_\_\_\_ immediately at \_\_\_\_\_.

Respectfully,

## **Students**

### **Discipline: Suspension/Expulsion; Due Process**

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

In working with the students, emphasis shall be placed upon developing effective self-discipline as the most effective disciplinary approach. Physical force may not be used as a disciplinary measure.

### **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) 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 is 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.
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 exceed one calendar year. Such period of exclusion may extend to the school year following the school year in which the exclusion was imposed.
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.

## **Students**

### **Discipline: Suspension/Expulsion; Due Process**

#### **Definitions (continued)**

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**

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. The teacher shall immediately inform the principal or designee upon removal of a student and shall give the name of the student and the reason for such removal. 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/Suspension Procedures" of this policy.

#### **Standard 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 within 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;

**Students****Discipline: Suspension/Expulsion; Due Process****Reasons Leading to Suspension or Expulsion From School (continued)**

- E. Knowingly possessing a firearm or deadly weapon in 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.
- 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 pupils' rights to express points of view as long as such expression is not disruptive of the educational process.
- 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;

## Students

### Discipline: Suspension/Expulsion; Due Process

#### Reasons Leading to Suspension or Expulsion From School (continued)

- K. Violation of any other Board policy, dealing with student conduct, including conduct on school buses. Students receive a copy of the Administrative Procedures Handbook and the Transportation Handbook at the beginning of each school year.
- 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. Intentional and successful incitement of truancy by other students.
- 4. Possessing and/or using tobacco.
- 5. Knowingly using or copying the academic work of another and presenting it as his/her own without proper attribution.
- 6. Falsification of school records.
- 7. Other serious misconduct determined by the school principal.

Students are subject to discipline, up to and including suspension and expulsion for misconduct, even if such misconduct occurs off-school property and during non-school time. Such discipline may result whether: 1) the incident was initiated in the school or on school grounds, or 2) even if the incident occurred or was initiated off-school grounds and non-school time; if after the occurrence there was a reasonable likelihood that return of the student would contribute to a disruptive effect on the school education or its process by threatening:

- 1. The school's orderly operations;
- 2. The safety of the school property; or
- 3. The welfare of the persons who work or study there.

Examples of the type of such off-school misconduct that may result in such discipline include but are not limited to:

- 1. Use, possession, sale, or distribution of dangerous weapons;
- 2. Use, possession, sale, or distribution of illegal drugs; or
- 3. Violent conduct,

where any such activity has the reasonable likelihood of threatening the health, safety or welfare of school property, individuals thereon, and/or the educational process.



## **Students**

### **Discipline: Suspension/Expulsion; Due Process**

#### **Reasons Leading to Suspension or Expulsion From School (continued)**

For example, if it is determined that a student's use, possession, or sale of drugs in the community has a reasonable likelihood of endangering the safety of students or employees because of the possibility of such sales in the school; or if violent conduct in the community presents a reasonable likelihood of repeating itself in the school environment; or if any similar type of misconduct in the community has a reasonable likelihood of being continued or repeated in school or of bringing retaliation or revenge into the school for such off-school misconduct, the Board may impose discipline up to and including suspension and/or expulsion.

#### **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.
2. In the case of in-school suspension or suspension, the principal or designee shall notify the Superintendent of Schools or designee as soon as possible, but in any case within 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. 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.

## Students

### Discipline: Suspension/Expulsion; Due Process

#### In-school Suspension/Suspension Procedures (continued)

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.

4. 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) Suspension form 5135 shall be filled out and sent to central office.
5. No student shall be placed in 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. Form 5135 shall be filled out and sent to central office.

#### 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 judgement, 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 fire-arm 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.

## **Students**

### **Discipline: Suspension/Expulsion; Due Process**

#### **Expulsion Procedure (continued)**

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:
  - 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.

## Students

### Discipline: Suspension/Expulsion; Due Process

#### Expulsion Procedure (continued)

A witness's unsubstantiated desire to remain anonymous is not an exceptional circumstance and shall not justify dispensing with direct testimony and cross-examination.

- G. The opportunity to be represented by counsel or other representation of the student's choice.
  - H. The prompt notification of the decision of the Board of Education or hearing board which decision shall be in writing.
  - I. 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.
  - J. 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.
  - K. 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.

## **Students**

### **Discipline: Suspension/Expulsion; Due Process**

#### **Expulsion Procedure (continued)**

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.
  - 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 any 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 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*

## **Students**

### **Discipline: Suspension/Expulsion; Due Process**

#### **Expulsion Procedure (continued)**

*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 complete the expulsion hearing and render a decision. The receiving district may not exclude the student from school pending completion of the expulsion hearing in the sending district unless an emergency exists. 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 or is not suspended or expelled again during the two-year period from the date of his/her return to school from the expulsion.

## **Students**

### **Discipline: Suspension/Expulsion; Due Process**

#### **Special Education Students**

1. If a PPT determines that the special education student's inappropriate behavior or actions are deemed not to be the result of the student's handicapping condition, suspension or expulsion procedures shall be conducted in accordance with the provisions of this policy for non-special education students.
2. If such behavior are actions deemed to be caused by the student's handicapping condition, no suspension or expulsion shall ensue. Instead, the PPT will attempt to modify the student educational program to prevent recurrence of the undesirable behavior or actions for the protection of other students or the special education student.

However, if a situation exists in the judgment of the Director of pupil personnel services, the principal, and the Superintendent of Schools under which the continued presence of the student in the school imposes such a danger to persons or property that a temporary suspension is necessary, for the safety of other district students or other special education students, to allow the district adequate time for developing an alternative program and/or placement for the special education student, such special education student may be excluded until such alternative program and/or placement is determined. Homebound instruction shall be offered for the student until an alternative program and/or placement is effected.

#### **Reasonable Physical Force to Control A Situation**

Reasonable physical force may be used, to the extent that a teacher or other person entrusted with the care and supervision of a minor for school purposes believes it necessary to:

- A. Protect him/herself or others from immediate physical injury.
- B. Obtain possession of a dangerous instrument or controlled substance, upon or within the control of such student.
- C. Protect property from physical damage.
- D. Restrain student or remove student to another area to maintain order.

## **Students**

### **Discipline: Suspension/Expulsion; Due Process**

#### **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 student and their parents or guardians.

**Legal Reference:** Connecticut General Statutes  
4-177 through 4-180. Contested Cases. Notice. Record.  
10-233a through 10-233f. Suspension, removal and expulsion of students.  
21a-240(9) Definitions.  
53a-3 Definitions.  
53a-18 Use of reasonable physical force or deadly physical force generally; defense by teachers and certain other persons.  
PA 94-221 An Act Concerning School Discipline and Security.  
GOALS 2000: Educate America Act, Pub. L. 103-227.  
18 U.S.C. 921 Definitions.

**Policy adopted:** August 14, 1995

**NEW HAVEN PUBLIC SCHOOLS**  
New Haven, Connecticut



## **Students**

### **School District Lines**

The Board of Education accepts its responsibility for establishing attendance zones in such a way as to facilitate the educational program. Advance planning for new sites and buildings will be guided by the following criteria in determining school district lines:

1. Educational needs of the students.
2. Proximity of students to school plants.
3. Safety of students.
4. Ages of students served.
5. Nature of the educational program housed.
6. Racial/ethnic balance.

The Board of Education also accepts the principle of "controlled free zoning" for school attendance as follows:

1. Students living in any given attendance area have first choice for school membership in that area whenever available space exists.
2. Where available space exists, students in other areas may apply for membership up to the limit of the rated capacity of the school plant.
3. Students choosing the option in (2) will provide their own transportation to the school and back home.
4. Students choosing the option in (2) will agree to stay a minimum of one year in their chosen school.

**Legal Reference:** Connecticut General Statutes

10-55 Pupils to attend regional school.

10-226a Pupils of racial minorities.

10-226b Existence of racial imbalance.

10-226c Plan to correct imbalance.

10-226d Approval of plan by state board.

**Policy adopted:** August 14, 1995

**NEW HAVEN PUBLIC SCHOOLS**  
New Haven, Connecticut

## **Students**

### **Student Transfer**

The New Haven Board of Education requires that all students attend the district school in which the parent or legal guardian resides.

The Board also recognizes that there is a need at times for a parent or legal guardian to request that a student be transferred to a school other than the one he/she is assigned. Such requests will only be considered for specific mitigating circumstances, with all requests complying with criteria established by administrative regulations.

The Board also recognizes that it may, in its discretion; reassign a student to a different school in the school district, and such reassignment shall not be considered a suspension or expulsion of that student. Such reassignments shall comply with the procedures established by administrative regulation, including but not limited to written and verbal notice of the reassignment the student's parent or legal guardian.

Policy adopted: August 14, 1995  
Policy revised: July 10, 2008

NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut

## **Students**

### **Student Transfer**

This student transfer procedure outlines the steps and responsibilities of various individuals related to student transfers within the New Haven Public Schools (from one school to another) and for students transferred into New Haven Public Schools.

#### **Requesting Transfers Within the New Haven Public Schools for Medical Disabilities**

1. A parent/guardian must submit a request in writing specifying the reason for the request to the supervisor of the district to which the student is assigned. A copy of the request should be forwarded to the supervisor of the receiving school, if the requests so warrants. Documentation by a physician on the appropriate form must accompany the request.
2. The supervisor will forward the request to the Director of Pupil Services for review by the school medical advisor.
3. The recommendation of the medical advisor shall be made to the Director of Pupil Services, who in turn will review this with the appropriate supervisor(s).
4. The supervisor of the school district to which the student is assigned will notify the appropriate principal(s) and the parent in writing of the decision rendered.

#### **Requesting Transfers to Special Programs**

Requests for transfers made for special programs (Magnet Schools, Alternative High Schools, Vocational Education, etc.) will be governed by the admission policies and criteria for selection of the specific program.

#### **Requesting an Exception to Transfer Within the New Haven Public Schools for Other Reasons**

Requests to transfers from one New Haven school to another New Haven school may be made by parents and legal guardians for mitigating circumstances, with such request complying with criteria established by this administrative regulation. All transfers requested by parents and legal guardians for reasons other than the above will be governed by the following guidelines:

1. All such transfer requests will be sent in writing on the appropriate form to the district supervisor of the school to which the student is assigned.
2. The district supervisor will review the request with the appropriate principal(s) and/or other supervisor (if applicable and approve or deny the request in writing.

## **Students**

### **Student Transfer**

#### **Requesting and Exception to Transfer Within the New Haven Public Schools for Other Reasons (continued)**

3. Notice of the approval or denial of a transfer request will be provided verbally and sent in writing to the parent or legal guardian, with a copy to the Principal of each school involved and a copy shall be retained in the student's cumulative file.
4. In the case of where a transfer is granted for a student identified as requiring special education services, it is recommended that a Planning and Placement Team meeting be convened to review the transfer and determined whether any changes to the student's Individualized Educational Program (IEP) are required.

The district supervisor will also take the following into consideration when approving or denying such requests:

1. The availability of space within a school.
2. The racial balance of schools.
3. All other relevant facts and circumstances relating to the particular student's case in question.

In the event that a transfer is granted in response to a parent or guardian request, transportation of the student to and from school to which the student has been transferred shall be subject to availability and existing transportation schedules and protocols.

#### **Requesting Involuntary Reassignment of a Student to a New School within the New Haven Public Schools**

Requests for reassignment of a student from one New Haven Public School to another New Haven Public School may be made by administration, with such requests complying with procedures established by this administrative regulation. All reassignments requested by administration shall comply with the following procedures.

1. All such reassignment requests will be completed in writing on the appropriate form by the building administrator of the school the student currently attends, and sent to Central Office to the attention of the Director of High Schools or the Director of elementary and Middle School Education as applicable.

## **Students**

### **Student Transfer**

#### **Requesting Involuntary Reassignment of a Student to a New School within the New Haven Public Schools (continued)**

2. The applicable Director will review the request with the appropriate principal of the sending school and the requested potential receiving school, and will grant or deny the request in writing. The parent or guardian may request a meeting with the Director to review the granting or denial of the request.
3. In the event that the reassignment request is granted, notice of the transfer will be provided verbally and sent in writing to the parent or legal guardian, with a copy to the Principal of each school involved and a copy shall be retained in the student's cumulative file.
4. In the event that a reassignment is denied, a record of the request and the denial of the request shall be retained in the student's cumulative file.
5. In the case of where a transfer is granted for a student identified as requiring special education services, it is recommended that a Planning and Placement Team meeting be convened to review the transfer and determined whether any changes to the student's Individualized Educational Program (IEP) are required.

The Director will also take the following into consideration when approving or denying such requests:

1. The availability of space within a school.
2. The racial balance of schools.
3. All other relevant facts and circumstances relating to the particular student's case in question.

In the event that a transfer is granted in response to administration request, transportation of the student to and from school to which the student has been transferred shall be subject to availability and existing transportation schedules and protocols.

#### **Students Transferring into the New Haven Public Schools from Other Schools**

These students must register at Central registration and parents may request a transfer by following the above procedures.

## **Students**

### **Student Transfer**

#### **Students Transferring into the New Haven Public Schools from an Institutional Placement**

1. This section of the regulation covers any youngster registering as a student in a New Haven Public School after being released from an institution. These students may be either.
  - A. Re-enrollees in the New Haven Public School System – When a student is returning as a resident of New Haven, the school system is obliged to receive him/her for registration. If the student is a special education child, a PPT will be convened. If the student is a regular education child, the Director of Community and Alternative Programs will meet with him/her to plan an appropriate educational program.
  - B. New enrollees in the New Haven Public School System will follow the same procedures.
2. A student's status may be:
  - A. Released out of district day placement facilities
  - B. Residential placement
  - C. Discharges from correctional or detention institutions

#### **Monitoring Implementation**

District supervisors will work closely with principals to ensure that all regulations are being implemented.

Regulation approved:  
Regulation revised:

August 14, 1995  
July 10, 2008

New Haven Public Schools  
New Haven, Connecticut

## **Students**

### **Promotion/Acceleration/Retention**

Students will normally progress annually from grade to grade or level to level. Exceptions may be made when, in the judgment of the certified staff, such exceptions are in the best educational interest of the students involved. Exceptions will always be made after prior notification and explanation to each student's parents or guardian, but the final decision will rest with the school authorities.

If an elementary student is retained more than two times, he/she will be referred to a PPT.

Legal Reference: Connecticut General Statutes

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

Policy adopted: August 14, 1995

NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut

## **Students**

### **Reporting to Parents**

The Board of Education encourages good communication between parent and teacher and shall promote frequent and varied reporting contacts. All forms and methods of communications, such as parent-teacher conferences, mail, telephone, and school visitation by parents will be utilized.

### **Report Card**

Written reports on student progress will be issued to parents four times a year. The reporting dates will be determined annually and placed on the school calendar. Parents will be advised no later than the third reporting period of a student's potential failure and the possibility of having to repeat a grade or a course.

Teachers also will report on student progress at regularly scheduled parent conferences.

### **Warning Notices**

Student progress reports may be sent any time between marking periods to parents/guardians of students who need some type of special attention. These reports do not necessarily mean that a student is failing, but a deficiency is noted which needs correction. Acknowledgment of this report by a note, phone call or visit by the parent or guardian is advisable.

If the parents of a child are separated or divorced, both parents will have the right to be informed of their child's progress in school unless there is an order from the court to the contrary. To receive written reports and notification of conferences, a noncustodial parent will make such request to the school principal.

**Legal Reference:** Connecticut General Statutes

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

46b-56 Access to records of minor children by noncustodial parent.

**Policy adopted:** August 14, 1995

**NEW HAVEN PUBLIC SCHOOLS**  
New Haven, Connecticut



## **Students**

### **Confidentiality of Student Education Records**

#### **Definitions**

For the purpose of these policies and procedures for education records, New Haven Board of Education has used the following definitions of terms:

<b>Disclosure</b>	To permit to or the release, transfer or other communication of education records, or the personally identifiable information contained in those records, to any party, by any means, including oral, written or electronic means.
<b>Education Records</b>	Any information recorded in any way (e.g. handwriting, print, tape, film, computer, microfilm and microfiche) that is (1) directly related to a student and (2) maintained by the school district or by a party acting for the school district except: <ul style="list-style-type: none"> <li>• Personal records that are kept in the sole possession of the school staff member who made them and that are not accessible to or revealed to any other person except the staff member's temporary substitute.</li> <li>• Employment records that are used only in relation to the student's employment by New Haven Board of Education; and</li> <li>• Alumni records that contain information about a student after he or she is no longer in attendance at New Haven Board of Education; these records do not relate to the person as a student.</li> </ul>
<b>Eligible Student</b>	A student or former student who has reached 18 years of age or is attending an institution of postsecondary education or is an emancipated minor.
<b>Extra-Confidential Records</b>	Education records to which access by school officials and by other parties identified in Section 99.31 of the FERPA regulations should be strictly limited by the need to know. The extra-confidential records maintained by New Haven Board of Education include psychiatric evaluations, family assessments and child abuse reports.
<b>Parent</b>	A parent of a student, including natural parent, a guardian or an individual acting as a parent in the absence of a parent or a guardian.
<b>Party</b>	An individual, agency, institution or organization.

## Student

### Confidentiality of Student Education Records

#### Definitions (continued)

**Personally identifiable information** Information that includes, but is not limited to:

- the student's name,
- the name of the student's parent or other family members,
- the address of the student or student's family,
- a personal identifier, such as the student's social security number or the student's school identification number,
- a list of personal characteristics that would make the student's identify easily traceable, and
- other information that would make the student's identity easily traceable.

**Student** Any person who attends or has attended a school in the New Haven Public School System.

**COMMENT** *A child who is not of school age (e.g. infant, toddler or preschooler) is considered a student if the school district is providing or has provided educational services to the child or is monitoring or has monitored the child's progress to determine the need for educational services.*

#### Annual Notification of Rights (Policy for notification of rights is required)

**COMMENT** *A school district is required by Section 99.7 of the FERPA regulations to notify, annually, the parents of students currently in attendance, as well as eligible students currently in attendance, of their FERPA rights. This annual notification of rights may be accomplished by any means that are "reasonably likely" to inform parents and eligible students of their rights. Procedures employed by school districts to fulfill the requirement for annual notification of FERPA rights may include, but are not limited to, publications of the notification of rights in student handbooks, mailing of the notification of rights in newsletters or other publications distributed to parents. The most common procedure for concurrently informing the parents of high school students and eligible students of their rights is the publication of the notification of rights in the high school's student handbook. A common procedure for informing the parents of elementary school students and the parents of middle school students is the inclusion of the notification of their right in newsletters that are distributed to the parents.*

*Regardless of the means chosen by the school district to notify parents and eligible students of their FERPA rights, Section 99.6(a)(1) of the FERPA regulations requires the school district to adopt a policy which identifies the means of notification. Section 99.7(a)(5)(d) of the FERPA regulations requires the school district to "effectively notify parents of students who have a primary or home language other than English".*

## Student

### Confidentiality of Student Education Records

#### Annual Notification of Rights (continued)

Parents and eligible students are notified annually by the New Haven Public Schools of the rights accorded to them by the Family Educational Rights and Privacy Act (FERPA) of 1974. Eligible students and parents of high school students are notified annually of their FERPA rights by the publication of these rights in the high school's student handbook.

Parents of students in grades pre-kindergarten to eight are notified annually of their FERPA rights by the publication of these right in newsletters distributed to parents by district personnel in the beginning of the school year. The annual notification of rights informs eligible students and parents that they have a right to:

1. Inspect and review the student's education records;
2. Requests the amendment of the student's education records to ensure that the records are not inaccurate, misleading or otherwise in violation of the student's privacy rights or other rights;
3. Consent to disclosures of personally identifiable information contained in the student's education record, except to the extend that FERPA regulations authorize disclosure without consent.
4. File with the United States Department of Education a complaint concerning alleged failures by New Haven Public Schools to comply with the FERPA regulations, and
5. Obtain a copy of the New Haven Board of Education policies for student education records. Copies of the policies are located in the office of the Superintendent of schools and in the principal's office of each school in the district.

#### Procedure to Inspect and Review Education Records

**COMMENT** *Section 99.6(a)(2)(i) of the FERPA regulations requires the school district to adopt a policy which includes an explanation of the procedure eligible students and parents of students must follow to make a request to inspect and review the student's education records. The policy must also include the description of the procedure the school district follows in response to such a request. Although a policy for the inspection and review of education records is required by Section 99.6(a)(2)(i), a school district has the freedom to develop its own procedure for such inspection and review, provided the procedure allows reasonable access to the records within 45 calendar days of a request by a parent or eligible student and provided the procedure is consistent with the intent of the FERPA regulations. Please note, however, that Section 10-76d-18(b)(1) of the Regulations of Connecticut State Agencies require the school district to comply with a request to inspect and review education records that is submitted by parents of students requiring special education and related services within 10 school days of the receipt of such a request, within three school days of such a request if the request is made in order to prepare for a meeting regarding an individualized education program or within three calendar days of such a request if the request is made in order to prepare for a meeting related to any due process proceeding. It is recommended that the school district's policy for education records include a statement pertinent to the access right of parents of students requiring special education and related services.*

## Student

### Confidentiality of Student Education Records

#### Procedure to Inspect and Review Education Records (continued)

Eligible students and parents of students may, upon request, inspect and review the student's education records. Eligible students or parents must submit to the custodian or records or to his or her designate a written request that identifies as accurately as possible the record or records for which the request for inspection and review is submitted. An authorized official of the school district will notify the parent or eligible student of the date, time and location where the records may be inspected and reviewed. Requests by parents and eligible students to inspect and review the student's education records will be accommodated within a reasonable period of time but, in no case, no more than 45 calendar days after the receipt of such requests. As required by Section 10-76d-18(b)(1) of the Regulations of Connecticut State Agencies, requests by parents of students requiring special education and related services will be accommodated within ten school days of the receipt of such requests, within three school day of the receipt of such requests if the requests are made in order to prepare for a meeting regarding an individual education program or within three calendar days of such a request if the request is made in order to prepare for a meeting related to any due process proceeding.

When a record contains information about students other than the eligible student or parent's child, the eligible student or parent will not be allowed to inspect or review the portion of the record that pertains to other students.

#### Refusal to Provide Copies of Education Records

**COMMENT** *A school district is not required to provide an eligible student or parent a copy of the student's education records unless failure to do so would effectively prevent the eligible student or parent from exercising the right to inspect and review the records. Section 99.6(a)(2)(ii) of the FERPA regulations requires the school district to describe the circumstances under which it believes it has legitimate cause to deny an eligible student or parent a copy of the student's education record. In identifying the circumstances under which the school district will deny a copy of the student's education records, it is important to note that Section 10-76d-18(b)(2) of the Regulations of Connecticut State Agencies requires a school district to provide, within five school days of the request, one free copy of the student's education records to a parent of a student requiring special education and related services.*

**COMMENT** *Regardless of its policy to provide copies of education records, the school district cannot deny the eligible student or parent's access to such records.*

## Student

### Confidentiality of Student Education Records

#### Refusal to Provide Copies of Education Records (continued)

New Haven school district does not provide to an eligible student or parent a copy of the student's education records unless failure to do so would effectively prevent the eligible student or parent the right to inspect and review such records. An exception to this policy is made, however, for the parent of students requiring special education and related services. As required by Section 10-76(d)-18(b)(2) of the Regulations of Connecticut State Agencies, one free copy of the student's education records will be provided, within five school days of written request, to the parents of students requiring special education and related services.

#### Fees For Copies of Records (*Schedule of fees is required*)

**COMMENT** *Section 99.6(a)(2)(iii) of the FERPA regulations requires the school district to include in its education records policy the schedule of fees, if any, to be charged for copies of a student's education records. The fees established by the school district may not include a charge for the search and retrieval of the records. In addition, the fees may not be of such an amount that the fees effectively denies an eligible student or a parent of a student the right to inspect and review the student's education records.*

*It is recommended that the school district's policy for the schedule of fees includes a reiteration of the right to one free copy of the student's education records to the parents of students requiring special education and related services. (N.B. comment on page 5 under REFUSAL TO PROVIDE COPIES OF EDUCATION RECORDS.)*

The fee for copies of the student education records is \$ .50 amount per page. As required by Section 10-76(d)-18(b)(2) of the Regulations of Connecticut State Agencies, one free copy of the student's education records will be provided, within five school days of a written request, to the parents of students requiring special education and related services. After one free copy is provided by the school district to the parents of students requiring special and related services, the standard fee per page will be charged for any additional copies of the student's education records.

#### Types, Locations and Custodians of Education Records

**COMMENT** *In addition to listing the types and locations of the education records maintained by the school district, Section 99.6(a)(2)(iv) of the FERPA regulations requires the school district to list the titles and addresses of the officials responsible for the records.*

## Student

### Confidentiality of Student Education Records

#### Types, Locations and Custodians of Education Records (continued)

Types of Records	Grades	Location	Custodian
Cumulative School Records and Special Education Records	K-5		School Principal Director of Pupil Personnel Services
Cumulative School Records and Special Education Records	6-8		School Principal Director of Pupil Personnel Services
Cumulative School Records and Special Education Records	9-12		School Principal Director of Pupil Personnel Services
Discipline Records	K-5		School Principal
Discipline Records	6-12		School Principal
Extra-Confidential Records	K-12		Director of Pupil Personnel Services
Health Records	K-12		School Nurse
School Transportation Records	K-12		Transportation Coordinator
Education Records of Students In Out-of-District Placements	K-12		Director of Pupil Personnel Services.
Miscellaneous Education Records Not Identified Above, Which May Be Maintained In The School District's Central Office, In The School Attorney's Office Or Are In The Personal Possession Of A Classroom Teacher	Various Locations		The Director of Pupil Personnel Services will collect these records and make them available at the student's school.

## Student

### Confidentiality of Student Education Records

#### Types, Locations and Custodians of Education Records (continued)

Types of Records	Grades	Location	Custodian
Education Records Of Students In Out-Of-District Placements	Pre-Kindergarten		Director of Pupil Personnel Services

**Disclosure of Education Records** (*Policy for disclosure is required, criteria for disclosure are identified in Section 99.6(a)(3), 99.69(a)(4) and 99.31 of the FERPA regulations.*)

**COMMENT** *The school district is required by Section 99.6(a)(3) of the FERPA regulations to include a statement in its education records policy that the school district will not release personally identifiable information from a student's education record without prior written consent of the eligible student or parent, except under one or more of the conditions described in Section 99.31 of the regulations. If the school district allows the disclosure of personally identifiable information under one or more of the conditions described in Section 99.31, Section 99.6(a)(4) requires the school district to specify its criteria for determining which parties are school officials and what the school district considers to be legitimate educational interest.*

New Haven Public Schools will disclose personally identifiable information from a student's education records only with the written consent of the parent or eligible student (use **WRITTEN PARENT CONSENT FOR TRANSFER OF CONFIDENTIAL INFORMATION** form) except:

1. To school officials who have legitimate educational interest in the records.
  - A. A school official is:
    - A person employed by the district as an administrator, supervisor, teacher, teacher aide, administrative assistant, secretary or clerk.
    - A person employed by or under contract to the school district to perform a special task (e.g. attorney, auditor or medical consultant).
  - B. A school official has a legitimate educational interest if the official is:
    - Performing a task or responsibility that is specified in his or her job description, position description or contract agreement.
    - Performing a task related to a student's education.
    - Performing a task related to the discipline of a student.
    - Providing a service or benefit to the student and/or the student's family including, but not limited to, health care, parent effectiveness training and homebound instruction.

## Student

### Confidentiality of Student Education Records

#### Disclosure of Education Records (continued)

2. To officials of another school, school system or institution of postsecondary education in which the student seeks or intends to enroll;

**COMMENT** *The FERPA regulations permit a school district to disclose, without prior written consent of the eligible student or parent, personally identifiable information from the student's education records to the officials specified in statement #2 above. If the school district's education records policy does not include notification that disclosures without prior written consent of the eligible student or parents are made to these officials, Sections 99.34(a)(I) and 99.34(1)(2) of the FERPA regulations require the school district, for each disclosure of information, to*

- *Make a reasonable attempt to notify the eligible student or parent at the last known address of the eligible student or parent that a disclosure was made;*
- *Give the eligible student or parent, upon request, a copy of the record that was made; and*
- *Provide the eligible student or parent, upon request, an opportunity for a hearing, as allowed by Section 99.21 of the act.*

*To facilitate the transfer of both regular education and special education records to another school, school system or institution of postsecondary education in which the student seeks or intends to enroll, an increasing number of school districts are providing notification in their education records policies that they allow such transfer of records without the written consent of the eligible student or parent.*

3. To authorize officials of the U.S. Department of Education, the Comptroller General of the United States and state and local educational authorities, provided the disclosure of the information pertains to state-supported or federally-supported education programs and meets the requirements of Section 99.35(b)(1) and 99.35(b)(2) of the Family Education Rights and Privacy Act of 1974.
4. To state and local authorities or officials, if a state statute adopted before November 19, 1974, specifically requires disclosures to those authorities and officials; and
5. To organizations conducting studies for, or on behalf of, the school district to:
  - develop, validate or administer predictive tests, or
  - improve instruction

**COMMENT** *Section 99.31(6)(I) of the FERPA regulations allows disclosure of information to the organizations described in statement #5 above, only if:*

- *the studies are conducted in a manner that does not permit personal identification of parent and students to any individuals other than representatives of the organizations, and*
- *the information is destroyed when no longer needed for the purposes for which the studies were conducted.*



## Student

### Confidentiality of Student Education Records

#### Disclosure of Education Records (continued)

6. To accrediting organizations to carry out their accrediting functions;
7. To parents of an eligible student who claim the student as a dependent for income tax purposes, as defined in Section 152 of the Internal Revenue Code of 1954;
8. To comply with a judicial order or lawfully issue subpoena;

**COMMENT** *Section 99.32(9)(ii) of the FERPA regulations allows disclosure of information in compliance with a judicial order or lawfully issued subpoena only if the district makes a reasonable effort to notify the eligible student or parent of the order or subpoena in advance of compliance.*

9. To appropriate parties in connections with an emergency, if knowledgeable of the information is necessary to protect the health or safety of the student or other individuals; and
10. To parties seeking directory information (N.B. comment under DIRECTORY INFORMATION).

**COMMENT** *Section 99.6(5) of the FERPA regulations requires the school district to include in its education records policy a statement or statements indicating (1) that a record of all request for and/or disclosures of personally identifiable information from a student's education records will be maintained in a manner that meets the requirements specified in Section 99.32 of the act and (2) that a parent or eligible student may inspect and review the record of request for disclosures. A record of all requests for and/or disclosures of personally identifiable information must be maintained with each student's regular education records and special education records.*

New Haven Public Schools will maintain a record of all requests for and/or disclosures of personally identifiable information from a student's education records on a form entitled CONFIDENTIAL FILE ACCESS SHEET. The record indicate:

- A. The names of the parties who have requested or received personally identifiable information;
- B. The names of the additional parties to which the receiving party may disclose the information on behalf of the school district; and
- C. The legitimate interest the parties, described in paragraphs "A" and "B" above, had in requesting or obtaining information.

## Student

### Confidentiality of Student Education Records

#### Record of Requests for Disclosure of Education Records *(Required)*

The record of requests and/or disclosures will be maintained as long as the student's education records are maintained and may be inspected by the eligible student or parent. The procedure for recording names and legitimate interests of parties does not apply if the request for information was from or the disclosure was to:

- The eligible student or parent,
- A school official, as defined under **Disclosure of Education Records** (N.B. Page 8), or
- A party seeking directory information.

**COMMENT** *If the school district chooses to disclose directory information, Section 99.6(6) of the FERPA regulations requires the district to list in its education records policy the items it has designated as directory information. In addition, Section 99.37 of the regulations requires the school district to meet specific conditions before the disclosure of directory information is made (N.B. Appendix page 20). If the school district does not disclose directory information, item 10 under Disclosure of Education Records (N.B. Page 10) and the last item under Record of Requests for Disclosure of Education Records (N.B. Page 11) should be omitted from its records policy.*

#### Correction of Education Records *(Required)*

**COMMENT** *Section 99.6(a)(7) of the FERPA regulations requires the school district to adopt a policy for the correction of education records. Procedures for correction of the records are stipulated in Sections 99.20, 99.21, and 99.22 of the regulations.*

An eligible student or parent has the right to request that education records be corrected if it is believed that the records are inaccurate, misleading or in violation of the student's rights of privacy or other rights.

## **Student**

### **Confidentiality of Students**

#### **Correction of Education Records (continued)**

Following are the procedures for the correction of student education records:

1. The eligible student or parent must request New Haven Public Schools to correct the record. In requesting a correction of the record, the eligible student or parent must identify the record he or she wishes to change and specify why it is believed that the part of the record in question is inaccurate, misleading or in violation of the student's rights of privacy or other rights.
2. New Haven Public Schools will decide within a period of ten (10) school days to comply or not to comply with the request to correct the record. If the school district decides not to comply, it will notify the eligible student or parent of its decision and of the right to a hearing to challenge the information believed to be inaccurate, misleading or in violation of the student's rights of privacy or other rights.
3. Upon request, the school district will hold a hearing within fifteen (15) school days. The eligible student or parent will be notified in writing at least five (5) days in advance of the date, time and place of the hearing.
4. The hearing will be conducted by an individual who does not have direct interest in the outcome of the hearing. The hearing officer may be an official of the school district. The eligible student or parent will be provided a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's record. The eligible student or parent may, at their own expense, be assisted or represented by one or more individuals, including an attorney.
5. The school district will prepare within ten (10) school days a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
6. If as a result of the hearing, the school district decides that the information in the education record is inaccurate, misleading or in violation of the student's rights of privacy or other rights, it will correct the records and inform, in writing, the eligible student or parent of the correction.

## **Student**

### **Confidentiality of Student Education Records**

#### **Correction of Education Records *(Required)***

7. If as a result of the hearing, the school district decides that the information in the student's education records is not inaccurate, misleading or in violation of the student's rights of privacy or other rights, it will inform the eligible student or parent, in writing, of the right to place a statement in the record commenting on the contested information in the record and/or stating why he or she disagrees with the school district's decision. The statement will be maintained as part of the student's education records as long as the contested portion of the record is maintained. If New Haven Public Schools discloses the contested portion of the record, it will also disclose the eligible student or parent's statement.

#### **Destruction of Records**

Records are destroyed as per Schedule V (attached). Three months before any records will be destroyed, letters will be sent to the last known address of the student and a public notice will be placed within local newspapers. Parents may request the destruction of records when the confidential information is no longer needed.

#### **Training of Personnel Having Access to Personally Identifiable Information**

Annually (at the beginning of each school year) the Custodian of Records and the sub-custodians will review all policies and procedures related to the confidentiality of records.

#### **Reports**

"Each board of education shall make reports of the special education child's progress to parents with at least the same frequency that the school makes reports to parents of children in the regular program."

#### **Diploma**

"Each child requiring special education and related services who meets the requirements for school completion of his or her Board of Education shall be awarded an appropriate diploma."

Regulation approved: August 14, 1995  
Revised: April 16, 1997

NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut

## Schedule V

### Education Records

<u>Record Title</u>	<u>Minimum Retention Required</u>
Academic Records	see under Student Records
Accounting Records	see Schedule II: General Finance Records
Administration Records	see Schedule I: General Administration Records
Enumeration Records	
Individual Cards	current and active only
Family Cards	current and active only
Field Sheets	3 years
Summary Reports	permanent
Financial Records, School Administration	see Schedule II: General Finance Records
Information Release Forms	maintain as long as a Special Services records as maintained (see this Schedule)
Personnel Records	see Schedule XIII: Personnel Records
Professional Staff Working Papers and Notes	
Guidance conference notes	
Marking Books	current plus 1 year
Teachers' observations and evaluations	discard at discretion of school administration
Test protocols	
Other working notes and memoranda	
Reports to State Board of Education (file copies)	current year plus one year
School Registers: Summary Sections only	50 years after they become inactive
Balance of Register	discard at discretion of school administration
Student Records	
Basic Biographical information	50 years after they become inactive
Academic achievement records	50 years after they become inactive
Awards, extracurricular activities, basic health data, teachers' and counselors' evaluations, test results	6 years after they become inactive
Transferring student	maintain copies of original records – years after transfer
Transfer card	5 years
Release of Information Authorizations	for length or time students records are maintained
Special Services Records	6 years after they become inactive
Psychological data, social workers' case records, speech and hearing evaluation data, diagnostic medical information, other confidential, privileged or sensitive information relating to the exceptional student	
Teachers' Contracts	6 years after expiration
Teachers' Performance Evaluations	term of service plus 3 years

## **Students**

### **Conduct**

Each student is responsible as a citizen to observe the laws of the United States, the State of Connecticut, the City of New Haven, and the policies and regulations as set forth by the New Haven Board of Education.

Students shall be properly instructed in rules and regulations of acceptable conduct; they shall then be responsible for understanding and complying with the standards of behavior described therein. Any student who fails to comply with these rules and regulations concerning student behavior is liable to suspension, exclusion, or expulsion.

School officials are required to maintain a school atmosphere conducive to education. Courts will uphold school rules and regulations designed to maintain order so long as they are not unreasonable or arbitrary, do not infringe upon constitutional rights, and are not vague.

In particular, the criminal code violations refer to: arson, extortion; sexual offenses; possession, use or sale of drugs and alcohol; disturbing the peace; trespass; injury (non-accidental) to persons or property; theft; registering false fire alarms; bomb threats; gambling; vandalism; and any other misdemeanor or felony.

Incidents appearing to involve any action falling into the categories listed above will be investigated by the school principal, or his/her designee. The principal will collect physical evidence, take statements from witnesses, and give the student an opportunity to present his/her side of the incident at a hearing at which the parents or an adult advocate may be present. If the student is clearly implicated in such wrongdoing, he/she will be suspended, the matter will be referred to the police and in grievous cases, the principals shall recommend expulsion.

A student who is in possession of, threatens with, or uses, any dangerous weapon, on school property, on a school vehicle or at a school related function, will be dealt with by the administrative directive from the Superintendent of Schools to the principals.

### **Areas of Responsibility**

#### **1. Board of Education**

The Board of Education holds the certified personnel responsible for the proper conduct and control of students while legally under the supervision and jurisdiction of the school.

## **Students**

### **Conduct**

#### **2. Principal**

The principal may implement necessary procedures and rules and regulations to render effective the policies of the Board of Education relating to standards of student behavior. The principal may involve representatives of all areas of school personnel, students, parents and citizens of the community.

#### **3. Teachers**

Teachers shall be responsible for the instruction of students in rules and regulations of proper conduct, as well as be responsible for proper and adequate control of students. The responsibility and authority of any teacher extends to all students of the school district under the assigned supervision of the teacher and to other students so situated with respect to the teacher as to be subject to the teacher's control.

#### **4. Parents**

Parents shall be expected to cooperate with school authorities regarding the behavior of their children. Parents shall be held responsible for the willful misbehavior of their children.

### **Notification of Behavior Code**

The Board of Education shall, at the beginning of each school year, notify the parent or guardian of minor students registered in the district of the rules of the district pertaining to student discipline.

The principal of each school shall take steps to insure that all rules pertaining to the discipline of students are communicated to students at the beginning of each school year, and to transfer students at the time of their enrollment in the school.

(cf. 5114 - Suspension/Expulsion)

(cf. 5144 - Discipline/Punishment)

Policy adopted: August 14, 1995

NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut

## **Students**

### **Bus Conduct**

School transportation privileges are extended to students conditional upon their satisfactory behavior on the bus.

Students will be advised in the Transportation Handbook that they may be suspended from transportation services for unsatisfactory conduct while awaiting or receiving transportation to and from school which endangers persons or property or violates a Board policy or administrative regulation.

(cf. 5114/5114.1 - Suspension/Expulsion; Due Process)

**Legal Reference:** Connecticut General Statutes

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

10-220 Duties of boards of education.

10-221 Boards of education to prescribe rules.

10-233c Suspension of pupils.

**Policy adopted:** August 14, 1995

**NEW HAVEN PUBLIC SCHOOLS**  
New Haven, Connecticut



## **Students**

### **Assault**

Student fights may or may not involve actual violation of the laws relative to assault, and therefore will not always be reportable to law enforcement authorities. However, all such incidents required close consideration because of the circumstances within which they occur. Student fights are a disruption of the regular school program and will not be tolerated. The principal, in the course of his/her investigation, will attempt to discover the cause of the fight and, if possible, to solve the problem; e.g., obtain an agreement from the students to eliminate the cause of the dispute. If the principal cannot bring about a peaceful resolution of the problem, the participants will be subject to suspension.

A more serious situation exists when an attack is made on a student. The principal may send all parties involved home while he/she conducts an investigation of the incident. Those students found to have been participants in the attack will be suspended and a report made to the authorities.

An attack on a teacher is a matter of grave concern to everyone and will be thoroughly investigated. Each case will be investigated by the principal, and where grounds for charges under the law exist, the case will be referred to police authorities. Student(s) determined in the initial investigation to have been involved will be suspended. If no extenuating circumstances are uncovered, it will be recommended that expulsion proceedings be initiated.

(cf. 5114 - Suspension/Expulsion)

(cf. 5144 - Discipline/Punishment)

**Legal Reference:** Connecticut General Statutes

10-221 Boards to prescribe rules.

52-572 Parental liability for torts of minors. Damage defined.

53a-18 Use of reasonable physical force or deadly physical force generally.

**Policy adopted:** August 14, 1995

**NEW HAVEN PUBLIC SCHOOLS**  
New Haven, Connecticut

## **Students**

### **Vandalism**

#### **Vandalism by Minors**

The parent or guardian of any minor/unemancipated child who willfully cuts, defaces or otherwise injures in any way any property real or personal, belonging to the school district shall be held liable for all such damages up to the maximum amount allowed under state law.

The liability provided under Connecticut General Statutes 52-572 does not relieve the minor(s) of personal liability for such damage or injury. This liability of the parent for damages done by a minor child is in addition to any other liability which exists in law.

The parent or guardian of a minor child shall also be held liable for all property belonging to the school system lent to the student and not returned upon demand of the school system. The student may also be subject to disciplinary action.

#### **Vandalism by an Adult Student**

An adult student (eighteen years or older or an emancipated minor) shall be held personally liable for any damage done to any property, real or personal, belonging to the school district. The student may also be subject to disciplinary action.

(cf. 6161.2 - Care of Instructional Materials)

**Legal Reference: Connecticut General Statutes**

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

**52-572 Parental liability for torts of minors. Damage defined.**

**Policy adopted: August 14, 1995**

**NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut**

## **Students**

### **Alcohol, Drugs, and Tobacco**

The possession, use, and sale of controlled substances is a violation of the State Statutes and the use of illicit drugs and unlawful possession and use of alcohol is wrong and harmful. Because they are violations of the law, the following procedures have been outlined that must be adhered to if the offenses occur on school property, in a school vehicle, or at a school-sponsored activity. All students and parents are to be informed of this policy and regulation.

It is the policy of the Board that the schools to take positive action through education, counseling, parental involvement, medical referral, and police referral in the handling of incidents in the schools involving the possession, sale, and/or use of behavior affecting substances. These substances shall include but not be limited to alcohol and controlled substances as defined by the Penal Code of the State of Connecticut.

#### **Possession and/or Use (Narcotics/Alcohol Abuse)**

##### **1. First Offense**

- A. Parent and police are notified that the student is in possession of narcotics/alcohol. A Case Incident Report is filled out by the appropriate administrator.
- B. A list of appropriate licenses agencies which can assess and treat drug and/or alcohol abuse will be given to the parent and students. This list will include:
  - (1) Name of agency
  - (2) Contact person
  - (3) Telephone number
- C. Parent and student informed that if alleged substance is tested and proved to be a controlled substance, student will be suspended for ten (10) days and referred to the police for further investigation.

##### **2. Second Offense**

Same steps are taken as above, but instead of suspension, the student will be recommended for expulsion.

#### **Sale/Distribution of a Controlled Substance**

- 1. Parent and police are notified of sale. A Case Incident Report is filled out by the appropriate administrator.

**Students**

**Alcohol, Drugs, and Tobacco**

**Sale/Distribution of a Controlled Substance (continued)**

2. Parent and student informed that, if alleged substance is tested and proved to be a controlled substance, student will be suspended for ten (10) days, arrested by the police, and considered for expulsion.

This directive does not apply to special education students who will be treated in accordance with the due process procedures of the Education of the Handicapped Act.

It is expected that all administrators will adhere to this directive.

Policy adopted: August 14, 1995

NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut

## **Students**

### **Alcohol, Drugs, and Tobacco**

#### **Definition of Substance Abuse**

Controlled drugs are those drugs which contain any quantity of a substance which has been designated as subject to federal narcotic laws, or which has been designated as a depressant or stimulant drug pursuant to federal drug laws, or which has been designated by the public health council and commissioner of consumer protection pursuant to section 21a-243 of the Connecticut General Statutes as having a stimulant, depressant or hallucinogenic effect upon the higher function of the central nervous system and as having a tendency to promote abuse and/or psychological dependence. [C.G.S. 21a-240, subsection (8)]

Board of Education policy differentiates between voluntary and involuntary disclosure of a drug, alcohol, or substance abuse problem.

#### **Voluntary Disclosure**

If a student voluntarily tells a staff member of a drug, alcohol, or substance abuse problem:

- A. A staff member who is informed of a drug, alcohol, or substance abuse problem may at the insistence of the student maintain the confidence within the limits of his/her professional code of ethics and in consistency with the laws of confidentiality. The staff member must, however, make every effort to guide the student to the kind of help he/she needs.
- B. A staff member may, without disclosing the name of the student, obtain advice and information on the resources available to the student and himself/herself refer the student to appropriate local resources.
- C. If the student will allow disclosure of the drug, alcohol, or substance abuse problem, the staff member will report to the student's guidance counselor or department of student services mental health professional and the building Principal.
- D. The guidance counselor or department of student services mental health professional will upon confirmation of an alcohol, drug, or substance abuse problem by a student under eighteen years of age hold a conference with the parent. Corrective plans will be developed with the cooperation and consent of the parents and the student. The parents will be given a written copy of the conference minutes and recommendations for corrective plans.

## **Students**

### **Alcohol, Drugs, and Tobacco**

#### **Voluntary Disclosure (continued)**

- E. Copies of the conference minutes and corrective plans will be kept in the guidance counselor or department of student services worker's professional file.
- F. The counselor or department of student services mental health professional will maintain contact with the student and his/her family regarding the problem.
- G. The building principal will in all cases be informed of all activity relative to confirmation and aiding the student to solve his/her alcohol, drug, or substance abuse problem.
- H. A professional employee who obtains physical evidence in the form of alcohol, drugs, or illegal substances voluntarily surrendered by a student must turn the evidence over to the school principal immediately. The professional employee is not required to disclose the name of the student from whom the evidence was obtained.

#### **Involuntary Disclosure**

When information relative to drug, alcohol, or substance abuse is brought to the attention of the school or obtained through routine school activity, such information is considered as obtained through involuntary disclosure and matters of confidentiality do not apply.

If a staff member has knowledge of an alcohol, drug, or substance abuse problem:

- A. The staff member will report the information immediately to the building principal.
- B. Staff members who obtain physical evidence in the form of alcohol or drugs from a student are required to turn the evidence over to the school principal immediately. The professional employee must disclose the name of the student from whom the evidence was obtained.

Search of students' lockers, desks, or other depositories is covered by Board of Education policy. Under the rules of the Board of Education, as authorized by Section 10-221 of the General Statutes for the maintenance of discipline in the school, an authorized school administrator may search a student's locker or desk under three conditions:

## **Students**

### **Alcohol, Drugs, and Tobacco**

#### **Involuntary Disclosure (continued)**

- The probable presence of contraband materials poses a serious threat to the maintenance of discipline and order in the school.
- There is reason to believe one or more students have contraband materials in desks or lockers.
- The students have been informed in advance that, under school board regulations, desks and lockers may be inspected if the administration has reason to suspect that materials injurious to the best interests of the school are kept on school property.

Any controlled drug or alcoholic beverage surrendered by a student or obtained through a search of lockers or desks is to be turned over to the school principal. The principal will, within three days of its receipt, surrender the drugs or alcohol to appropriate law enforcement officials.

Students found in possession and/or use of a controlled drug or alcoholic beverage in school or on school property are subject to arrest. In the event that a student is to be arrested, the building principal or his/her designee will attempt to contact the parent prior to calling the police and inform them of the potential arrest.

Any law enforcement official who questions a student or staff member will do so in the presence of the building principal or his/her designee. Every effort will be made to include the parents or guardian of the student in hearings which carry an implication of the possible allegation of guilt or the furnishing of information leading to an indictment. The student's right to remain silent or to speak through an attorney or parent will not be abridged.

Students found in possession and/or use of a controlled drug or alcoholic beverage will be suspended from school.

Students suspended from school for possession and/or use of a controlled drug or alcoholic beverage are required to meet with the building principal or his/her designee along with the student's parents or guardian, a guidance counselor, department of student services mental health professional, and school nurse. Corrective plans will be recommended and the parents notified in writing at the time of the suspension. Arrangements for further follow-up will be made.

The counselor or department of student services mental health professional will maintain contact with the student and his/her family regarding the problem.

## **Students**

### **Alcohol, Drugs, and Tobacco**

#### **Drug and Alcohol Distribution in the School**

School personnel are forbidden to act in a law enforcement capacity. All individuals suspected of drug or alcohol distribution on school property or at a school sponsored activity must be reported to the principal who, after determining that distribution has occurred, will call a law enforcement official.

In all cases of emergency or of clear danger, the schools will cooperate with the police.

Whenever a student is expelled for the sale or distribution of drugs or alcohol, the student will be referred for counseling and rehabilitation. The name of the student will be sent to the commissioner of education within thirty days after the student is expelled. Whenever the Board of Education notifies a student between the ages of sixteen and eighteen or the parents or guardians of such students that an expulsion hearing will be held, the notification will include a statement that the Board is not required to offer an alternative educational opportunity to any student who is found guilty of offering for sale or distribution alcohol or controlled drugs on school property or at a school sponsored activity.

#### **Emergencies**

If a student's condition or behavior creates an emergency situation which may be due to drug or alcohol activity, the actions toward the student should be channeled through the school nurse under the direction of the principal.

A professional staff person perceiving a student to be under the influence of alcohol, drugs, or other substances will immediately notify the principal and the school nurse giving all pertinent information. Written records of the incident will be kept in the principal's confidential file.



## **Students**

### **Alcohol, Drugs, and Tobacco**

#### **Emergencies (continued)**

The school nurse will advise the school principal of the severity of the emergency.

- A. If it is determined that a student under the influence of drugs or alcohol is in need of immediate medical attention, the student will be transported to an area hospital and the parent notified.
- B. If immediate medical attention is not required, the parent or guardian will be called and asked to take the student home.

Students treated for emergencies related to alcohol or drug abuse will be suspended from school.

Students suspended from school for possession and/or use of a controlled drug or alcoholic beverage are required to meet with the student's parents or guardian, a guidance counselor, department of student services mental health professional, and school nurse. Corrective plans will be recommended and the parents notified in writing at the time of suspension. Arrangements for further follow-up contact will be made.

In the event that a student is hospitalized for alcohol, drug, or substance abuse related problems, the planning and placement team will convene and consult with the student's medical and/or psychiatric advisers, his/her parents or guardian and, if feasible, with the student to plan an individualized education program. The Board of Education will assume legitimate educational costs.

The student will remain on the individualized education program until such time as medical opinion, the planning and placement team, the parents or guardian, and the student conclude it is no longer necessary. Readmission to schools will be on the advice of the student's medical or psychiatric consultant(s).

#### **Instruction**

The professional staff shall become more aware of the problem, and become more expert in recognition of the symptoms of such use. Annually, teachers in each grade shall emphasize the effect of alcohol, nicotine, tobacco, and drugs on health, character, and personality development wherever appropriate in the health education program and such other contexts which touch on the subject.

## **Students**

### **Alcohol, Drugs, and Tobacco**

#### **Instruction (continued)**

It is desired that the administration make use of in-service training sessions for both certified and non-certified staff in order to achieve the goals of this board-adopted regulation, and that full cooperation with community agencies be given wherever such cooperation can work to the advantage of the student.

**Legal Reference:** Connecticut General Statutes

10-16b Prescribed courses of study.

10-19 Effect of alcohol, nicotine or tobacco and drugs to be taught. Training of personnel. Study of prevention program. Report of findings and recommendations.

10-154a Professional communications between teacher or nurse and student. Surrender of physical evidence obtained from students.

10-220b Policy statement on drugs.

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

10-233d Expulsion of pupils. Hearing format. Age limitation for the provision of an alternative educational opportunity; exceptions.

21a-240 Definitions. (8) "Controlled drugs".

21a-277 Penalty for illegal manufacture, distribution, sale, prescription, dispensing.

21a-278 Penalty for illegal manufacture, distribution, sale, prescription or administration by non-drug-dependent person.

Regulation approved: August 14, 1995

NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut

## **Students**

### **Weapons and Dangerous Instruments**

The Board of Education is concerned for the safety and welfare of all students and school personnel in school and at school-sponsored activities. For this reason the Board prohibits student possession and/or use of weapons or other dangerous instruments in any school building on school grounds, in any school vehicle, or at any school-sponsored activity.

Possession and/or use of any such dangerous weapon by a student is grounds for expulsion of the student.

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

(cf. 5145.12 - Search and Seizure)

**Legal Reference: Connecticut General Statutes**

10-221 Boards of education to prescribe rules.

10-233c Suspension of pupils.

10-233d Expulsion of pupils. Hearing format. Age limitation for the provision of an alternative educational opportunity; exceptions.

53a-3 Definitions.

53-206 Carrying and sale of dangerous weapons.

PA 94-211 An Act Concerning School Discipline and Safety

GOALS 2000 Educate America Act

18-U.S.C. 921 Definitions

**Policy adopted: August 14, 1995**

**NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut**

## **Students**

### **Gang Activity or Association**

Gangs which initiate, advocate, or promote activities which threaten the safety or well-being of persons or property on school grounds or which disrupt the school environment are harmful to the educational process. The use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of grooming which, by virtue of its color, arrangement, trademark, symbol, or any other attribute which indicates or implies membership or affiliation with such a group, presents a clear and present danger. This is contrary to the school environment and educational objectives and creates an atmosphere where unlawful acts or violations of school regulations may occur.

Incidents involving initiations, hazings, intimidations, and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to students are prohibited.

The superintendent will establish procedures and regulations to ensure that any student wearing, carrying or displaying gang paraphernalia, or exhibiting behavior or gestures which symbolize gang membership, or causing and/or participating in activities which intimidate or affect the attendance of another student shall be subject to disciplinary action.

The administration will provide service training in gang behavior and characteristics to facilitate staff identification of students at-risk and promote membership in authorized school groups and/or activities as an alternative.

Policy adopted: August 14, 1995

NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut

## **Students**

### **Gang Activity or Association**

The type of dress, apparel, activities, acts, behavior or manner of grooming displayed, reflected or participated in by the student shall not:

1. Lead school officials to reasonably believe that such behavior, apparel, activities, acts, or other attributes are gang related and would disrupt or interfere with the school environment or activity and/or education objectives' No student on or about school property or at any school activity shall: wear, possess, use distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign, or other things which are evidence of membership or affiliation in any gang;
2. Present a physical safety hazard to self, students, staff, and other employees;
3. Create an atmosphere in which a student, staff or other person's well-being is hindered by undue pressure, behavior, intimidation, overt gesture, or threat of violence; including but not limited to:
  - soliciting others for membership into any gangs
  - requesting any person to pay protection or otherwise intimidating or threatening any person
  - committing any other illegal act or other violation of school district policies
  - inciting other students to act with physical violence upon any other person

Imply gang membership or affiliation by gesture, handshakes, etc., and written communication, marks, drawing, painting, design, emblem upon any school or personal property or on one's person.

If the student's behavior or other attribute is in violation of these provisions, the principal or designee will request the student to make the appropriate correction. If the student refuse, the parent/guardian may be notified and asked to make the necessary correction. The principal will take appropriate corrective and disciplinary action.

## **Students**

### **Gang Activity or Association**

Students identified as being gang involved, influences, or affiliated will be provided assistance, and/or programs which discourage gang involvement or affiliation, enhance self-esteem, encourage interest and participation in school or other positive activities and promote membership in authorize school organizations.

Training to provide increased awareness of the threat to the safety of students, staff, and school property which gang-related activity poses, shall be provided on an as-needed basis. Additional presentation will be made available to individual schools, staff or students at the request of the principal. Presentations will provide training in current identification symbols used by those involved in gang-related activity and will include things such as the identification of hand signal, apparel, jewelry, and/or any other pertinent gang-related information.

Regulation approved: August 14, 1995

NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut

## Students

### Bullying

The New Haven Board of Education will not tolerate any form of **bullying or harassment** of members of the New Haven Public School Community by students or employees of the New Haven Public Schools. Bullying and/or harassment, includes but is not limited to, acts based on: gender, ethnicity, national origin, race, sexual orientation, physical characteristics or mental capacity. The New Haven Public Schools requires students, staff, and/or parents to report all cases of bullying and harassment immediately, to the school's administrator, administrator's designee, or director. Teachers and other school staff that receive reports of bullying from students are required to report this information to the appropriate administrator immediately.

**Bullying is defined as physical, verbal or psychological attacks or acts of intimidation or the intentional isolation that is intended to cause fear, distress, or harm to the victim while on school grounds or at a school sponsored activity.**

Language concerning this bullying policy shall be included in the student code of conduct.

## Students

### Bullying

The following procedures must be followed to implement the New Haven Board of Education's bullying policy:

1. Students, staff and/or parents may submit anonymous reports.
2. Parents or staff should be encouraged to file written reports of bullying;
3. The administrator that receives the report must investigate all reports of bullying.
4. If upon investigation the report of bullying is confirmed and the aggressor is a student, parents of both aggressor and victim must be notified. Notification shall include a description of the District's investigation, conclusions because of the investigation and action taken.
5. If upon investigation the report of bullying is confirmed and the aggressor is an employee of the New Haven Public Schools, the parents of the victim must be notified. Notification shall include a description of the District's investigation, conclusions because of the investigation and action taken.
6. The investigating administrator must file report of the investigation, the investigation's outcome and, if the bullying is verified, an intervention plan with *name of district department* and state departments (see attached form)
7. The report of bullying and the report of the investigation, results of investigation and intervention plan must be on file
8. Administrator must maintain a list on the number of verified acts of bullying in their school. The list must include a brief description of the bullying behavior for each verified incident. This list must be available for public inspection.

### Intervention strategy

This list of interventions comprises the New Haven Public Schools intervention strategy to address bullying. These strategies assume that the appropriate level of adult supervision occurs during school hours and at school sponsored activities.

- A. Interventions to be implemented to prevent bullying behavior:
  1. Regular class meetings/discussions with students about bullying
  2. Class rules against bullying
  3. Implementation of bullying prevention curriculum



**Students**

**Bullying**

**B. Intervention Strategies that may be implemented when bullying behavior is confirmed after complaint and investigation:**

1. Referral of the confirmed bully for anger management or other counseling;
2. Referral of bully to other appropriate community agencies
3. Suspension. The length of the suspension will be determined by the severity of the bullying.
4. Parent Conferences with both alleged aggressor and victim regarding the bullying incident will be scheduled separately.
5. Conferences with bully and administrator and/or teacher
6. Conferences with target and administrator and/or teacher.
7. Referral to Department of Police, Juvenile Division.
8. Change in school to which bully is assigned
9. Arrest
10. Recommendation for expulsion

**Sample Bully Report: Internal/Tenex Data Collection**

Date: \_\_\_/\_\_\_/\_\_\_ Reported by \_\_\_\_\_ Phone \_\_\_\_\_  
Reporting Site \_\_\_\_\_ Town \_\_\_\_\_  
Site Type (please circle)  
School Day Care Caregiver Transportation Other \_\_\_\_\_

**Demographic Info**

\*Date of alleged occurrence \_\_\_\_\_ \*Type of occurrence (please circle)  
*verbal sexual physical racial bias*

**Target Name** \_\_\_\_\_ **D.R.A.F.F.** **D.O.B.** \_\_\_/\_\_\_/\_\_\_  
Age \_\_\_\_\_ Sex M \_\_\_ F \_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ Zip Code \_\_\_\_\_ Phone \_\_\_\_\_

Race (please circle)  
White Black Hispanic Native American Other \_\_\_\_\_

Parent/Caregiver \_\_\_\_\_ Phone \_\_\_\_\_

Previous incidents as aggressor or victim? Yes \_\_\_ No \_\_\_ When? \_\_\_\_\_

Parent notified \_\_\_\_\_ City \_\_\_\_\_

Injury \_\_\_\_\_

**Alleged aggressor** \_\_\_\_\_ **D.O.B.** \_\_\_/\_\_\_/\_\_\_

School attended \_\_\_\_\_

Previous incident as aggressor or victim? Yes \_\_\_ No \_\_\_ When? \_\_\_\_\_

\*Parent notified? Yes \_\_\_ No \_\_\_ Parent response \_\_\_\_\_

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\*Disposition: Warning \_\_\_ Detention \_\_\_ ISS \_\_\_ OSS \_\_\_ Arrest \_\_\_ Referral \_\_\_  
Unfounded Case \_\_\_

Return to: \_\_\_\_\_  
Administrator Signature

C: Superintendent Cumulative Report:

\*Items for Public Viewing Reports

## **Students**

### **Married/Pregnant Students**

Married students shall have the same educational opportunities in this school system as unmarried students.

Further, the responsibility of the Board of Education for the education of all school-age children includes the pregnant student, married or unmarried. These students shall be allowed to remain in school and support services shall be made a part of the school program. Any variation from their continuing in regular school classes shall be based upon their assessed needs. A pregnant girl may remain in her regular school program as long as her physical and emotional condition permits. 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.

**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.

**Policy adopted: August 14, 1995**

**NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut**

## **Students**

### **Administering Medication**

#### **Introduction**

This document sets forth the application of CT General Statutes 10-212a and b which provides for the administration of medications in schools. This law permits, under specific circumstances, oral, topical, inhalant or injectable medications as ordered by the student's prescribing provider to be administered to individual students by identified school personnel.

#### **Implies**

1. The retention in school of students with chronic or short term health problems that may require medications.
2. The possibility of authorizing school personnel as authorized in CT General Statutes with proper training, to administer medications to individual students to meet his/her health needs during school.
3. The authorization of school-based health clinic licensed registered nurses (RN) to administer medicinal preparations to students enrolled in the school-based health clinics in the absence of the school nurse.

#### **Statement of Responsibility**

The New Haven Board of Education, in accepting this responsibility, has resolved that it is appropriate to permit during school hours the application of this law for schools under its jurisdiction; i.e., authorization may be granted for administration of medicinal preparations including controlled drugs currently listed in Schedule II through V in the CT General Statutes, section 21a-243.

In accepting this plan, the Board of Education has determined appropriately that in the absence of the school nurse, school personnel permitted to do so under existing CT General Statutes with proper training and school-based health clinic nurses are authorized to administer medications as prescribed for individual students.

It is the individual school nurse (RN) who is responsible to make information required for the administration of medications in school available to school personnel who will be involved in the procedure.

Injectable medications for medically diagnosed allergic conditions requiring prompt treatment may be administered by those school personnel permitted to do so under existing CT General Statutes with proper training and school-based health clinic nurses, only if they agree to participate in this activity. Otherwise, when the nurse is not present and an anaphylactic emergency occurs, the student's need is met by calling 911 and requesting a paramedic.

## Students

### Administering Medication

#### Statement of Responsibility (continued)

Self-medication by students, an option provided by law, has been adopted by the New Haven Board of Education under certain circumstances which include physician order and permission, parent/guardian approval and final authorization by the school nurse.

- A. Diabetic students who have been taught to give themselves insulin. Students may carry out the procedure in school under the supervision of the school nurse, principal, teacher or school-based health clinic nurse.
- B. Asthmatic students who have been taught the proper use of their inhalers.
- C. Students with severe allergic reactions who have been taught to inject epinephrine.

Request from parents or guardians to have ibuprofen or acetaminophen administered to a student without a physician/dentist order is not acceptable.

***Standing orders will be developed, implemented and periodically reviewed by the Nursing Director and the School Medical Advisor with input from the school nurses as needed.***

#### General Provisions

Responsibility for the implementation of this policy in New Haven Schools is entrusted to the New Haven Health Department as the official provider of the school health services program.

The prescribing physician/dentist, advanced practice registered nurse licensed to prescribe (CT. G.S. Sec. 20-94a) *or* physician assistant (Sec. 20-12d) must indicate the need and parent/guardian must give written approval for administering each medication during school hours on an Authorization For Administration of Medicines By School Personnel form (Ed. Form H-5).

Parents/guardians will be informed of their responsibilities by the school nurse.

The school nurse, school-based health clinic nurse and those school personnel identified in CT General Statutes may administer authorized oral, topical or inhalant medications. Injectable medication may be administered by a school nurse or school-based health clinic nurse. School personnel permitted to do so under existing CT General Statutes, who are willing and properly trained, may administer emergency injectables only to students with medically diagnosed allergic conditions. School personnel permitted to do so under existing CT General Statutes who are willing to provide emergency injectables to students will be provided with technical assistance and training by personnel of the New Haven Health Department.

## **Students**

### **Administering Medication**

#### **General Provisions (continued)**

All controlled drugs currently listed in Schedule II through V of the Regulations of CT General Statutes, Sections 21a-243, may be administered in schools pursuant to this Board of Education policy.

Investigational drugs will only be administered by a Registered Nurse.

Access to all stored medications shall be limited to the school nurse, cooperating school personnel permitted to do so under existing CT General Statutes and school-based health clinic nurse(s). An authorized list will be maintained by the school nurse.

The administration of medications as prescribed shall be recorded on the Individual Student Medication Form (Ed.H-A) filed in the school medication logbook. As each form is completed, the school nurse will file it in the student's cumulative health record.

#### **Monitoring Implementation and On-Going Need**

Procedures to implement this policy shall be established and kept current by the New Haven Health Department who submits the document to the New Haven Board of Education.

The School Medical Advisor and the Nursing Director shall review and update the policy for Administration of Medications in Schools biennially. The New Haven Board of Education shall approve the revised policy statement.

#### **Guiding Legislation**

Section 10-212a and b of the General Statutes allows, in the absence of the school nurse, the principal, teacher, licensed physical or occupational therapist employed by a school district or coach of intramural and interscholastic athletics of a school who has received training in safely administering medications from a school nurse or licensed physician, to administer oral, topical, inhalant or injectable medications upon the written order of a licensed physician, licensed dentist, advanced practice registered nurse and physician assistant and the written authorization of a parent or guardian. Section 10-212a also provides in the absence of a school nurse for ".....any other nurse licensed pursuant to the provisions of Chapter 378, including a nurse employed by, or providing services under the direction of a local or regional Board of Education at, a school-based health clinic, who shall administer medicinal preparations only to students enrolled in such school-based health clinic". Finally, under subsection (d) of this section, school paraprofessionals, defined as teacher aides, may, with proper authorization, approval and supervision, administer medication 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."

**Students**

**Administering Medication**

**Guiding Legislation (continued)**

Section 52-557b, The Good Samaritan Law protects principals and teachers from liability for rendering emergency administration of medications by injection after the completion of training on the administration of medications by injection given by the school medical advisor or by the school nurse.

**Exception:** *Immunity does not extend to acts constituting gross, willful or wanton negligence.*

Current Legal Reference: CGS 10-212a, b  
CGS 52-557b  
CGS 21a-243

Policy Adopted: August 14, 1995  
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Revised: May 7, 2007  
Revised: April 7, 2003  
Revised: June 14, 2005  
Revised: July 16, 2007

## **Students**

### **Communicable/Infectious Diseases**

The Board of Education recognizes that all children in Connecticut have a constitutional right to a free, suitable program of educational experiences. The Board of Education shall establish by regulation reasonable health requirements as prerequisites to admission or attendance including the requirement that students undergo physical examination and present up-to-date immunization prior to admission.

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

A child with an infectious disease may be considered handicapped, if the condition presents such physical impairment that limits one or more major life activities. Therefore, Section 504 of the Rehabilitation Act, the "Education of all Handicapped Childrens 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. The student will be educated in the least restrictive environment.

(cf. 5111 - Admission)  
(cf. 5141.3 - Health Assessments and Immunizations)  
(cf. 6159 - Individualized Education Program)

**Legal Reference:** Connecticut General Statutes

"Education for Children with Disabilities", 20 U.S.C. 1400, et seq.  
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 706(7)(b)

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



**Students**

**Communicable/Infectious Diseases**

**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.

**Policy adopted:** August 14, 1995

**NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut**

## **Students**

### **Communicable/Infectious Diseases**

#### **Exclusion Procedures**

If it is determined that the interests of the student and the school are better served when a student with a communicable or infectious disease is excluded, procedural safeguards will establish such by extensive medical evidence which shall include, but not be limited to:

- A. The nature of the disease.
- B. Whether transmission may be controlled.
- C. Whether the personal characteristics of the student involved are such that exclusion of the affected student from the regular classroom is clearly necessary to protect the health of other students.
- D. As medical knowledge and circumstances may change rapidly, the school board administrator will monitor current medical information and assess the student's medical condition and the school's ability to accommodate that student in light of the most current medical information. New facts may warrant a different result from the one previously reached.
- E. Where a student or student's parents object to the board's decision to exclude that student, the board of education will provide a hearing to adjudicate pertinent facts concerning the exclusion.

#### **Medical Intervention**

The school nurse or medical advisor will establish guidelines which will provide simple, effective precautions against transmission of communicable disease for all students and staff. OSHA guidelines will be followed with clean up after a student has an accident or injury at school. Blood or body fluids emanating from any student should be treated with universal precautions. Such guidelines will be reviewed regularly in light of medical advances. Necessary reports will be made to health authorities consistent with state law.

If emergency care of a student is warranted, regulation will provide procedures to take care of the emergency situation.

Consideration will be given to temporary removal of a student from school, if in the school population, a disease, flu, cold or childhood disease might negatively impact the infected student's health. Students with infectious diseases may be temporarily removed from school when that student is acutely ill.

## **Students**

### **Communicable/Infectious Diseases**

Classroom and educational programs will be established so that students and staff are better informed of the risk and prevention of transmission of communicable diseases. The school nurse or other medical staff will be available to assist in any problem resolution, answer questions and coordinate services provided by other staff.

### **Confidentiality**

The privacy rights of students with a communicable disease shall be strictly observed by school staff. No person who obtains confidential related medical information may disclose or be compelled to disclose such information except to the following:

1. The protected student or parent.
2. Any person who secures a release of the confidential related information.
3. A federal, state or local officer when such disclosure is mandated or authorized by federal state law.
4. A health care provider or health facility when knowledge of the related information is necessary to provide appropriate care treatment to the protected student and when confidential related information is already recorded in the medical chart or record or a health provider has access to such records for the purpose of providing medical care to that student.

When confidential information relating to communicable disease is disclosed, it should be accompanied by a statement in writing which shall include the following similar language;

"This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure without the specific written consent of the student or legal guardian to whom it pertains or as otherwise permitted by law. A general authorization for the release of medical or other information is not sufficient for this purpose."

A notation of all such disclosure shall be placed in the medical record or with any record related to a communicable disease test results of a protected student. Any person who willfully violates the provisions of this law will be liable in a private cause of action for injuries suffered as result of such violation. Damages may be assessed in the amount sufficient to compensate said student for such injury.

## **Students**

### **Communicable/Infectious Diseases**

**Legal Reference:** Connecticut General Statutes

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

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 706(7)(b).

"Americans with Disabilities Act".

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

Connecticut General Statutes

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

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

10-66b Regional educational service centers. Operation and management. Board.

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

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

10-207 Duties of medical advisors.

10-209 Records not to be public.

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

19a-221 Quarantine of certain persons.

19a-581-585 AIDS testing and medical information.

Regulation approved: August 14, 1995

NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut

## **Students**

### **Prevention of Disease Transmission in School**

The New Haven Board of Education recognizes that all children residing in New Haven have a right to an appropriate educational program. The Board also recognizes that it has a responsibility to assure that the public schools provided a safe environment for all of its students and employees.

The procedures for dealing with those students having communicable diseases or Acquired Immune Deficiency Syndrome (AIDS) or AIDS Related Complex (ARC) or positive Human Immune Deficiency (HIV) anti-body test results are outlined in the accompanying regulations. These regulations:

1. Assure that each afflicted child receives a public education in accord with current law;
2. Provide information for parents, faculty members and other concerned persons regarding the actual or potential dangers of transmission of disease;
3. Are based upon the best medical knowledge currently available;
4. Place restrictions upon a child only to the extent necessary to minimize the risk of transmitting or contracting disease;
5. Offer maximum protection for the health of others; and
6. Offer maximum possible protection of the rights of privacy of each afflicted child.

This policy and regulation shall be brought before the Board of Education for review as developments in the fields of medicine and law dictate and, in any event within one (1) year from the date this policy is adopted.

**Legal Reference:** Connecticut General Statutes  
10-210 Notice of disease to be given parent or guardian.  
19-13A 8 (a-j)

**Policy adopted:** August 14, 1995

**NEW HAVEN PUBLIC SCHOOLS**  
New Haven, Connecticut

## **Students**

### **Prevention of Disease Transmission in School**

All staff will give a copy of this policy and regulation annually.

### **Reporting of Communicable Diseases**

The school nurse will report cases of communicable diseases to the City of New Haven Health Department and the principal of the school. The principal shall report to the Superintendent all cases of communicable diseases that come to his/her attention.

Staff members shall be instructed to report to the school nurse and the principal, those students who are suspected of having a communicable disease. They shall also provide any information they may have concerning a possible outbreak of a communicable disease in the community.

### **Standard Procedures for Handling Body Fluid**

The following procedures/precautions shall routinely be used throughout the school system to minimize the risks of transmission of communicable disease. These guidelines provide simple and effective precautions for all person, including pregnant women potentially exposed to the body fluids of any student. They will be updated as new information and recommendations are available from the State Department of Health, Division of Epidemiology.

"Body Fluids" applies to blood, drainage from scrapes and cuts, feces, urin, vomitus, saliva and drainage from any orifice (i.e. nose, ears).

**Principle 1:** Direct skin contact with body fluids of others shall be avoided when possible.

- A. Gloves shall routinely be worn when direct hand contact with body fluids is anticipated; treating bloody noses, do hemocrits, handling clothes soiled by incontinence or vomit, cleaning small spills by hand, etc.
- B. Gloves and other materials used for this purpose shall be put in red plastic bag. Plastic bags shall be changed according to OSHA guidelines.
- C. Gloves shall be kept in all areas of high risk, e.g. health room, cafeteria, maintenance areas, main office, and in every classroom.

## **Students**

### **Prevention of Disease Transmission in School**

#### **Principle 1 (continued)**

- D.** All student shall be taught to handle their own "body fluids" as appropriate (for age, state of health, etc.). When feasible, students shall dispose of won tissues after blowing nose, apply pressure to nose and dispose of tissues/paper towels used for bloody nose, wash own scraptes/cuts, etc.
- E.** Students shall be taught good hand wasing techniques and encourage to use it routinely - before eating, after toileting, after vomiting, tec.

**Principle 2:** When direct skin contact or contamination of materials occur from unatnciapted skin contact with body fluids (helping a child in the bathroom, vomiting, etc.) proposed cleaning technique shall be followed:

- A.** Hands and other affected skin areas of exposed persons shall routinely be washed with soap and warm water after contact. Liquid soap dispensed from a wall dispenser is preferable to bar soap -- especially bar soap which sits in a pool of water.
- B.** Clothing items that are soaked throughout t the skin shall be removed, placed in plastic bag and sent home for laundering. Items laundered for school use, or in school, shall be washed in hot water cycle (160 degrees F) before reuse. One cup of bleach added to the wash is recommended when feasible.
- C.** Contaminated disposable items tissues, paper towels, diapers) shall be handled with disposable gloves.

**Principle 3:** Spilled body fluids shall be removed from the environment by proper cleaning technique:

- A.** Grossly contaminated environmental surfaces shall be thoroughly cleaned with a freshly prepared solution containing one cup of household bleach per gallon of water. A germicide can be substituted if a bleach solution is unavailable. Disposable gloves shall be worn.
- B.** Wastes and disposable cleaning liquid shall be placed in a toilet or plastic bag as appropriate.
- C.** Non-disposable cleaning equipment (mops, buckets) shall be thoroughly rinsed in a bleach solution (as above). The bleach solution shall be disposed of promptly down a drain pipe.

**Students**

**Prevention of Disease Transmission in School**

**Principle 3 (continued)**

- D. Maintenance responsibilities shall include daily cleaning with bleach or germicide as indicated above all areas of high risk for contact with body fluids such as the health room toilets(s), sink(s), student and staff lavatories, etc. Plastic bags shall also be changed daily and disposed of routinely; disposable gloves shall be worn.
- E. Spilled body fluids on carpet shall be disposed of by routine use of moisture absorbent which is then swept/vacuumed, followed by washing carpet with carpet cleaner.

**Principle 4: All school staff shall be aware of appropriate handling of body fluids.**

- A. At least annually, the school nurse shall provide information to all staff working in the schools regarding appropriate handling of body fluids. This information will be given at a faculty meeting and/or at a meeting set up for non-teaching staff.



## Students

### Students with HIV, ARC or AIDS

Acquired Immune Deficiency Syndrome (AIDS) is an illness that impairs the functioning of the body's immune system. It leaves the individual unable to fight off infection. The virus which causes AIDS and milder immune deficiency syndromes associated with AIDS virus infection, such as AIDS Related Complex (ARC), is called Human Immunodeficiency Virus or HIV. Current epidemiological studies indicate that HIV is not transmitted through casual contact, but through intimate sexual contact or blood to blood contact.

### Guidelines for Providing Education to Students with AIDS, ARC, or are Antibody Positive for HIV

#### 1. Release of Confidential Information

The parent or legal guardian must sign a release of confidential information before any staff member is notified of the confidential information (see form attached).

Whenever confidential information relating to AIDS, HIV infection or HIV related illness is disclosed, it will be accompanied by the following statement:

*This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by said law. A general authorization for the release of medical or other information if not sufficient for this purpose.*

2. A child who is diagnosed as having AIDS or ARC or who has tested HIV antibody positive and who is seeking entry into the New Haven School System will be admitted to the general school population when the child's treating physician certifies in writing that the child does not exhibit any condition or behavior which might pose a risk of transmission of HIV in the classroom setting. In deciding if such a risk factor exists, the physician shall be guided by the factors currently enumerated in the Connecticut Department of Education - Department of Health Services guidelines as posing a possible risk of transmission, as well as by the then-current guidelines of the American Academy of Pediatrics and the United State Centers for Disease Control All revisions in the enumerated "risk factors" in such guidelines shall be considered.

## Students

### Students with HIV, ARC or AIDS

#### Guidelines for Providing Education to Students with AIDS, ARC, or are Antibody Positive for HIV (continued)

3. A child who is currently in the general school population in the New Haven Public Schools who is newly diagnosed as having AIDS or ARC or who has recently been tested as HIV antibody positive shall be allowed to remain in the general school population if the child's treating physician certifies in writing that the child does not exhibit any condition or behavior which might pose a risk of transmission of HIV in the classroom setting and the child is not observed to exhibit a condition or behavior which under then-current state, American Academy of Pediatrics, or CDC guidelines is viewed as posing a possible risk of transmission. The physician shall make such evaluation in accordance with 2, supra.
4. If the physician for a child with AIDS or ARC or with a positive HIV antibody test fails to certify that the child is free of any condition or behavior which might pose a risk of transmission of HIV in the classroom setting, or if the child is observed to exhibit a condition or behavior which under then-current state, American Academy of Pediatrics, or CDC guidelines is viewed as posing a possible risk of transmission, the matter shall be referred to the School Medical Advisor so that the AIDS School Health Panel may be convened to review the case.
5. The AIDS School Health Panel will consist of:
  - A. Superintendent or designee
  - B. School Medical Advisor
  - C. Student's Physician
  - D. Parent or guardian of the HIV - infected student
6. The panel will, within three business days for a child currently in the general school population, or prior to the beginning of the school year for a child seeking entry:
  - A. Review student's medical history and current medical status.
  - B. Assess risk factors, as such may be revised by the Department of Education-Department of Health Services, the American Academy of Pediatrics and CDC.
    - (1) Presences of open wounds, cuts, lacerations, abrasions, or sores on exposed body surfaces where occlusion cannot be maintained.
    - (2) Impairment of gastro-intestinal and/or genito-urinary function such that control of internal body fluids cannot be maintained.

## Students

### Students with HIV, ARC or AIDS

#### Guidelines for Providing Education to Students with AIDS, ARC, or are Antibody Positive for HIV (continued)

- C. If a "risk factor" is found to exist, present and discuss option of home education, special education, regular education, or discuss options of other choices with parent/student, if applicable.
  - D. Re-evaluate all Panel cases on a continuing basis at least once a month and more often as circumstances change in the categories listed in B, above.
  - E. It is expected that recommendation of the Panel shall be based solely upon current medical information considerations in accordance with extant Guidelines of the Centers for Disease Control, the American Academy of Pediatrics, and the State Department of Education - Department of Health Services guidelines.
  - F. Removal from the classroom should not be construed as the only response to reduce risk of transmission. The Panel should be flexible in its response and attempt to use the least restrictive means to accommodate the child's needs and the needs of others.
7. If the AIDS School Health Panel decides that a period of exclusion is warranted and is projected to exceed five (5) school days, the panel shall immediately refer the case to the Director of Pupil Personnel Services to convene a Central Planning and Placement Team meeting ("PPT") to determine what alternative educational services will be provided. The PPT shall recommend, and the school system implement, this alternative education service program within six (6) days of the initial referral to the Director of Pupil Personnel Services.
  8. In any case of temporary removal of the student from the school setting, state regulations and school policy regarding homebound instruction must apply.
  9. Children and parents and guardians of children excluded from the general school population based on the determination of the presence of "risk" factors for the transmission of HIV shall retain all legal rights to challenge the exclusion.
  10. Only persons with an absolute need to know should have medical knowledge of a particular student's case. In individual situations, the Superintendent or designee will notify the following: 1) Principal; 2) School Nurse; 2) Student's teacher; and 4) Director (Supervisor) of Pupil Personnel Services. Notification should be made through a process that would maximally ensure patient confidentiality. This process should be direct person-to-person contact. Persons who become so informed shall be advised of their legal responsibility to maintain strict confidentiality.

## **Students**

### **Students with HIV, ARC or AIDS**

#### **Guidelines for Providing Education to Students with AIDS, ARC, or are Antibody Positive for HIV (continued)**

11. Since the student diagnosed as having clinical evidence of infection with the AIDS-associated virus (HIV, ARC, or AIDS) has an increased risk of acquiring infections in the school setting, if there is an outbreak of a threatening communicable disease such as chicken pox or measles, the school nurse shall notify the child's treating physician and parent and guardian, who shall determine if the child needs to be excluded from school temporarily until he/she is properly treated (possible with hyperimmune gama globulin) and/or the outbreak is no longer a threat to the child.
12. The school principal, working in conjunction with the Director (Supervisor) of Pupil Personnel Services and school nurse, should function as (a) the liaison with the child's physician, (b) the AIDS/ARC child's advocate in the school (i.e. assist in problem resolution, answer questions) and (c) the coordinator of services provided by other staff.
13. All school personnel who are informed of the identity of a student with AIDS, ARC or other HIV infection, or who come to learn of a student's diagnosis, have an obligation to maintain strict confidentiality regarding this information, disclosing it to no person other than as specified herein. Health and personnel records containing information regarding the identity of school children with AID, ARC, or other HIV infection shall be maintained in locked cabinets, accessible only to the principal and the school nurse. School personnel disclose the identity of a student with AIDS, ARC or HIV infection to persons other than those specified herein, this person shall be fully liable in tort for the disclosure and shall be disciplined by fine and/or suspension or termination. The Superintendent or designee shall educate all staff about the need to maintain strict confidentiality and shall monitor staff compliance.
14. The School Medical Advisor shall act as the school liaison with the AIDS Care Program at Yale-New Haven Hospital and shall make reasonable efforts to develop working relationship with that program.

**Students**

**Students with HIV, ARC or AIDS**

**Guidelines for Providing Education to Students with AIDS, ARC, or are Antibody Positive for HIV (continued)**

15. In circumstances where a child is diagnosed as having AIDS, ARC, or who has been tested HIV-antibody positive and where there is insufficient information regarding the risk of transmission in a classroom setting because the child is new to the New Haven community and has not been seen by a physician in one of the AIDS programs in Connecticut, such child shall be observed and evaluated by the AIDS Care Program at Yale-New Haven Hospital, the Hill Health Center, or a similar program within three (3) business days after application for enrollment. If no risk factors are identified, then the child shall be admitted to the general school population.

Regulation approved: August 14, 1995

NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut

**Students**

**Students with HIV, ARC or AIDS**

**DEPARTMENT OF PUPIL SERVICES  
NEW HAVEN PUBLIC SCHOOLS  
NEW HAVEN, CONNECTICUT 06519**

**PERMISSION TO DISCLOSE CONFIDENTIAL INFORMATION REGARDING  
HIV, AIDS, ARC**

I, \_\_\_\_\_, give permission to inform the following school personnel  
*Parent Name*  
that my child \_\_\_\_\_ is \_\_\_\_\_.  
*Student Name*

I understand that this information will be treated with strict confidentiality as described in the attached Guidelines and Procedures concerning HIV, ARC, and AIDS.

I give permission to disclose the information to:

Executive Director of Pupil Personnel Services \_\_\_\_\_  
*Name*

School Principal \_\_\_\_\_  
*Name*

Child's Primary Teacher \_\_\_\_\_  
*Name*

School Nurse \_\_\_\_\_  
*Name*

I also give permission for \_\_\_\_\_  
*Name*

to speak to the above personnel about health issues that may relate to my child's education.

\_\_\_\_\_  
*Signature of Parent*

\_\_\_\_\_  
*Date*

**Please read the confidentiality statement carefully:**

**This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of it without the specific written consent of the persons to whom it pertains, or as otherwise permitted by said law, a general authorization for the release of medical or other information is not sufficient for this purpose.**

## **Students**

### **Students With Specific Health Care Needs**

#### **Accommodating Students with Special Dietary Needs and Glycogen Storage Disease**

The purpose of this policy is to establish a safe environment for students with food allergies and to support parents regarding food allergy management. In accordance with applicable law, it is the policy of the Board of Education to provide all students, through necessary accommodations where required, the opportunity to participate fully in all school programs and activities.

The District will develop a Districtwide Food Allergy Management Plan to develop and implement guidelines for the care of students with food-allergies and glycogen storage disease. The Plan shall describe preventions, education, training, awareness, communication and emergency response guidelines. 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 Glycogen Storage Disease and the education, health and safety needs of all students. The District Food Allergy Management Plan shall be the basis for the development of more specific procedural guidelines, including protocols, that will be implemented at the school level and provide for consistency across all schools within the district.

The goals for the Districtwide Management Plan will include:

1. To maintain the health and protect the safety of children who have life-threatening food allergies and glycogen storage disease 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 (IHCP) and Emergency Care Plan (ECP) for all students with life-threatening food allergies and glycogen storage disease are collaboratively developed and based on medically accurate information and evidence-based practices.
3. To define a formal process for identifying, managing, training and ensuring continuity of care for students with life-threatening food allergies and Glycogen Storage Disease 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 and glycogen storage disease. Such guidelines include (1) education and training for school and other relevant personnel, on the management of students with life-threatening food allergies, including training related to the administration of medication with a cartridge injector to designated personnel, (2) procedures for responding to life-threatening allergic reactions to food, (3) a process for the development of individualized health care plans, food allergy action plans and emergency care plans for every students with a life--threatening food allergy (4) a process for the development of individualized health care and glycogen storage disease action plans for every student with glycogen storage disease and such

## **Students**

### **Students With Specific Health Care Needs**

#### **Accommodating Students with Special Dietary Needs and Glycogen Storage Disease (continued)**

plan shall include, but not be limited to, the provision of food or dietary supplements by the school nurse or by any school employee approved by the school nurse, to a student with glycogen storage disease provided such plan does not prohibit a parent/guardian or a person they so designate, to provide food or dietary supplements on school grounds during the school day, (5) develop a communication plan for school personnel, families, students and relevant community partners.

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 and glycogen storage disease 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.

An Individualized Health Care Plan (IHCP) and an Emergency Care Plan (ECP) shall be developed and implemented for students that are identified with food allergies and glycogen storage disease. In addition, the Board recognizes that students with documented life-threatening food allergies may be considered disabled and eligible for coverage under The Disabilities Act and Public Law 93-112 and Section 504 of The Rehabilitation Act of 1973. A clearly-defined "504 Accommodation Plan" shall be developed and implemented for all such identified students if it has been properly demonstrated that the child's impairment is such that it substantially limits one or more major life activities, (i.e., the disability must significantly affect a major life function) and necessary accommodations must be made to ensure full participation of identified students in student activities. Such plan shall be signed by the appropriate staff, the parent/guardian of the student and the student's physician.

The District's plan for managing students with life-threatening food allergies shall be posted on the District's website (and/or on the website of each school within the District).

(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)



## **Students**

### **Students With Specific Health Care Needs**

#### **Accommodating Students with Special Dietary Needs and Glycogen Storage Disease (continued)**

**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

10-212c Life threatening food allergies; Guidelines; district plans, as amended by P.A. 12-198)

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

10-220i Transportation of students carrying cartridge injectors

19a-900 Use of cartridge injectors by staff members of before or after school programs, day camp or day care facility.

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

The Regulations of Connecticut State Agencies section 10-212a through 10-212a-7, Administration of Medication by School Personnel.

Guidelines for Managing Life-Threatening Food Allergies in Connecticut Schools, Connecticut State Department of Education (2006)

## **Students**

### **Students With Specific Health Care Needs**

#### **Accommodating Students with Special Dietary Needs and Glycogen Storage Disease (continued)**

##### **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.; 29C.F.R. §1630 et seq.)

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

Land v. Baptist Medical Center, 164F3d423 (8th Cir. 1999)

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

FCS Instruction783-2, Revision 2, Meal substitution for medical or other special dietary reasons.

P.A. 09-155 An Act Concerning the Use of Asthmatic Inhalers and Epinephrine Auto-Injectors While at School.

Policy adopted: September 11, 2006  
Policy revised: April 10, 2017

NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut

**REPORT OF STUDENT WITH PHYSICAL DISABILITY, ALLERGY  
AND/OR RESTRICTIONS**

**NAME OF STUDENT**

\_\_\_\_\_  
Last, First, Middle

\_\_\_\_\_  
Date of Birth

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

**Nature of Physical Disability, Allergy and/or Restrictions**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reported By: \_\_\_\_\_  
Parent/Guardian - Name/Signature/Date

Reported To: \_\_\_\_\_  
School Official - Name/Signature/Date

Health Care Provider: \_\_\_\_\_  
Name /Address/Telephone Number

Report by Health Care Provider: \_\_\_\_\_  
Date Received (Attach Report)

If no medical documentation is provided at the time of this report, please provide parent/guardian with the Bureau of Nursing Release of Information Form.

Given to: \_\_\_\_\_  
Parent/Guardian – Print Name and Date

The following individuals have been advised of the nature and extent of the student's physical disability, allergy and/or restrictions\*:

\*Administrator: \_\_\_\_\_  
Print Name Signature/Date

\*School Nurse: \_\_\_\_\_  
Print Name Signature/Date

\*Phys Ed Teacher: \_\_\_\_\_  
Print Name Signature/Date

\*Classroom Teacher: \_\_\_\_\_  
Print Name Signature/Date

Food Service Manager: \_\_\_\_\_  
(if applicable) Print Name Signature/Date

*\*All four signatures required.*

Completed Form to Be Placed in Student's Educational Packet and Cumulative Health Record

## **Students**

### **Health Assessments and Immunizations**

The Board recognizes the importance of periodic health assessments according to state health regulations. As required by state law, all students shall have health screening and health assessments at regular intervals for the reasons and under the circumstances clearly enunciated in the state statutes.

Parents and school and health officials must increase efforts to prevent the occurrence of those vaccine preventable illnesses.

The Board of Education adheres to those state laws that pertain to school immunizations and health assessments. The Board may deny continued attendance in school to any student who fails to obtain the health assessments required under C.G.S. 10-206.

Parents wishing their children exempted or excused from health assessments may request such exemption to the Superintendent of Schools in writing. This request must be signed by the parent or guardian. No record of any student medical assessment may be open to the public.

### **Immunizations**

1. At the time of school entry all primary age children initially entering kindergarten and all children newly entering any other grade, shall be required through active immunization, unless there are specific counter-indications as spelled out in the law, to be protected against:
  - A. Diphtheria;
  - B. Tetanus and pertussis;
  - C. Polio;
  - D. Measles;
  - E. Mumps;
  - F. Rubella;
  - G. HIV; and
  - H. Any other mandated immunizations
  
2. When parents or guardians are seeking to enroll their children in schools without evidence of the required immunizations, these students shall not be allowed in school attendance.

## **Students**

### **Health Assessments and Immunizations**

**Legal Reference:** Connecticut General Statutes

10-204 Vaccination.

10-204a Required immunizations.

10-204c Immunity from liability.

10-205 Appointment of school medical advisers.

10-206 Health assessments.

10-206a Free health assessment.

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 public.

10-212 School nurses.

10-214 Vision, audiometric and postural screenings.

**Policy adopted:** August 14, 1995

**NEW HAVEN PUBLIC SCHOOLS**  
New Haven, Connecticut

## **Students**

### **Health Assessments and Immunizations**

#### **Statement of Responsibility**

These regulations apply to all students in attendance in the New Haven Public Schools. Particular requirements exist for all new students who are applying for membership as well as students who are already in attendance but who must periodically update their health records in order to be in compliance with State and local regulations.

#### **Requirements of All Newly Entering Students**

1. The student qualifies for school enrollment if documentation is presented that:
  - A. All required immunizations have been received in writing and
  - B. A current health assessment/health screening has been conducted dated and signed by a health care provider.
  
2. A student who fails to provide this documentation as required shall not be enrolled in school unless there are exemptions.
  
3. Exemptions Allowed by Law:
  - A. Immunizations
    - (1) Presents a certificate from a physician or a local health agency stating that initial immunizations have been given to the child and **ADDITIONAL IMMUNIZATIONS ARE IN PROCESS.**
    - (2) Assess each student's health document for selective information pertaining to the immunization, health screening and physical examination status.
    - (3) Give interpretation of the health history to principals, recommend to admit the student, recommend not to admit the student.
    - (4) Advise parents/guardians as to where needed health services may be obtained.
  
  - B. When Nurse is Present and Students are Registering
 

Send all newly entering students and parents/guardians to nurse's office for assessment of immunization/health assessment/ health screening status.

## **Students**

### **Health Assessments and Immunizations**

#### **Requirements of All Newly Entering Students (continued)**

##### **C. When Nurse is Not Present and Students are Registering:**

Principal/clerk obtains student's immunization/physical examination information documents if available.

- (1) If health history complete or parent/guardian presents letter covered by exemptions (see page 1, item #3), admit student, forward health forms to nurse. School nurse will assess information.
- (2) If health history is partially complete (see page 1, item 3a, 1),
- (3) If health history information is not in compliance, do not admit student under any circumstances. Suggest (a) obtaining the required health services immediately and, (b) contacting the nurse to inform her of parent/guardian's plan to comply.

#### **Requirements of On-Going Students - Grades 6 & 11**

##### **1. Immunizations**

Students at entry to grade 6 and again at entry to grade 11 shall be reassessed in terms of their immunization status and must be "boostered" accordingly.

##### **2. Health assessment/Health Screenings**

Students at entry to grade 6 and again at entry to grade 11 shall satisfy the requirements of a health assessment and all required health screenings.

##### **3. Exemptions Allowed by Law**

See page 1, item #3.

## Students

### Health Assessments and Immunizations

#### Requirements of On-Going Students - Grades 6 & 11 (continued)

#### 4. Exclusions/Failure to Comply

On-going students in grade 6 and grade 11 who do not meet the health requirements and all efforts to have student comply have failed must be excluded.

- parent/guardian duly notified/student remains in non-compliance.
- student absent on day in-school medical service planned
- student does not keep scheduled appointment with outside health provider.
- selected date for compliance is reached and student still has not complied.

#### 5. Role of the Public Health Nurse

##### On-Going Students

- a. To identify and duly notify, in the previous spring, those students who in the following September will be entering grade 6 and grade 11 who must show proof of a current health assessment including screenings such as hemoglobin, blood pressure, scoliosis, etc., as well as up-dated immunizations.
- b. To refer students/families to a source of health care in the community.
- c. To follow up with families or source of health care to see that the appropriate health information is received within the time specified.
- d. To refer students to the Health Departments Children's Clinic where needy students may obtain free preventative health services.
- e. To plan and schedule during September and October in-school medical sessions per the usual procedure.
- f. To compile a list of students who remain in non-compliance both for the principal as well as for Nursing Administration.
- g. To continue to pursue students on the Non-Compliance list until list is forwarded by Department of Health to Department of Education as a final transaction, i.e., no further action by health services is possible as all resolve/resources have been exhausted.



## **Students**

### **Health Assessments and Immunizations**

#### **Definition of Health Requirements**

1. **Immunizations**

A. **Newly Entering Students:**

Kindergarten or any other grade shall be immunized "before being permitted to attend" school, i.e., students must show proof-specific dates of being appropriately immunized according to state mandates.

B. **On-Going Students:**

Immunization history must be assessed and the immunization's status updated as appropriate to the regulations.

2. **Appropriately Immunized**

An individual shall be considered appropriately immunized if up-dated immunization are in accordance with current state mandates.

3. **Health Screenings**

A presumptive identification of disease or physical defect by the application of brief tests.

For example:

- |                |              |             |
|----------------|--------------|-------------|
| - gross dental | - hemoglobin | - scoliosis |
| - vision       | - hearing    |             |

#### **Availability of Health Services**

1. **In the Community - Entering or On-Going Students**

Private physicians, clinics, hospitals, and other health providers of the parent/guardian's choice.

## **Students**

### **Health Assessments and Immunizations**

#### **Availability of Health Services (continued)**

#### **2. In the Health Department - Entering or On-Going Students**

Every Thursday afternoon from 1:00 p.m. - 3:00 p.m., the Department of Health conducts an immunization and physical examination clinic, free of charge, where students may receive health services. Parents or other responsible adult must accompany student as "informed consent" forms must be signed prior to the administration of any vaccine.

#### **3. In-School - On-Going Students Only**

In those cases where pupils are eligible for free health assessments, the school nurse, with parental consent, can schedule a physical examination and/or needed immunizations at a school medical session.

#### **Responsibilities of Principal**

- 1. To communicate this regulation and related policy to all staff members as well as executive board members of the school's G.M.G.**
- 2. To establish a process in which a regular review of students' health information is discussed by the principal and school nurse.**

## Students

### Tuberculosis Screening

Tuberculosis remains a critical public health concern in the United States and both the CDC and the Connecticut Department of Public Health (DPH) have issued recommendations for the appropriate screening for and management of this infection. In May, 2005 DPH issued new Guidelines for the screening of the state's school children. In accordance with these recommendations the New Haven Board of Education adopts the following policy:

All students undergoing a health assessment (1) at any of the three times mandated by state statute or (2) at the time of first entry into the New Haven Schools must have an assessment performed of their risk of exposure to tuberculosis as recommended by the CT Department of Public Health Guidelines published in May, 2005.

Furthermore, all students assessed to be at high risk of exposure to tuberculosis whose PPD status is not already known, must be tested and the interpretation of their testing reported to the Bureau of Nursing before they are permitted entry. All students testing positive should be referred for counseling regarding the significance of their test results and further evaluation to their primary care provider or, in the absence of one, the Winchester Chest Clinic at Yale-New Haven Hospital which offers free evaluation and treatment for anyone with TB without the means to pay for care. The results of the risk assessment and testing, when done, should be recorded on the state health assessment record (HAR-3) or directly in the student's school health record (CHR-1). Failure to have appropriate testing performed, interpreted and reported is a basis for exclusion from class.

Finally, all children who test positive should have a written management plan submitted to the school from their primary care provider or the Winchester Chest Clinic within 30 days of school entry in order to be retained in school. Such management plan will need to consider, among other things, whether there was previous treatment for tuberculosis, whether such therapy was adequately completed, the risk of ongoing or recurrent exposure and the risk of potential transmission by the student. As stated in the DPH Guidelines, however, prior immunization with BCG will not be a consideration in formulating the management plan. As above, the details of the management plan, including anticipated duration of therapy and date when completed, if applicable, should be recorded on the state health assessment record (HAR-3) or directly in the student's school health record (CHR-1). Proper reporting of tuberculosis infection or disease should also be made to the state and local health departments as required by law. When a student tests positive, failure to have a written management plan within the 30 day window is a basis for exclusion from class.

Policy adopted: April 24, 2007

**New Haven Public Schools**  
New Haven, Connecticut

## **Students**

### **Reporting Child Abuse**

#### **Purpose of This Section**

To state the responsibility of school system personnel to report incidents of suspected child abuse (to include physical abuse, sexual abuse, emotional, educational, physical neglect); and to state the responsibility of school system personnel to report incidents of suspected child abuse by any school employee.

To outline the procedures to be followed in making such reports.

To update policy manual to reflect new revisions in the law.

#### **Intent Of The State Law**

The policy stated in the General Statutes:

- A. Aims at the protection of children whose health and welfare may be adversely affected through injury and neglect.
- B. Requires reporting of suspected child abuse/neglect to achieve this aim.
- C. Requires reporting and other specific procedures when the suspected abuser is a school employee.
- D. Calls for investigation by a social agency and/or police department to determine actions (if any) necessary.
- E. Provides for services, where necessary, and strengthens the family so that it may provide a good child care.
- F. Permits temporary or permanent removal of the child from his/her home if such is necessary for his/her safety.

## **Students**

### **Reporting Child Abuse**

#### **Failure to Report**

The penalty for failure to report by a mandated reporter is a fine of not more than \$500.00

#### **1. Requirements**

Abuse is reportable:

When any mandated reporter as defined in section 17a-101 of the general statutes, as amended by section 1 of P.A. 96-246 who in his/her professional capacity has reasonable cause to suspect or believe that any child under the age of 18 is in danger of being abused or has had nonaccidental physical injury, or injury, which is at variance with the history given of such injury, inflicted upon him/her by a person responsible for such child's health, welfare or care or by a person given access to such child by such responsible person, or has been neglected as defined by section 46b-120 of the general statutes, as amended.

*Note: If in the judgment of the school nurse and/or the principal the situation is serious enough to require immediate medical aid, the Medical Emergency routine is to be followed except that no accident report is prepared.*

## Students

### Reporting Child Abuse

#### Direct Reporting by the Certified Employee/Mandated Reporter

1. All mandated reporters as defined in section 17a-101 of the general statutes, as amended by section 1 of P.A. 96-246 must initiate an oral report within 24 hours of suspecting or believing that a child has been abused or neglected. The report will be made by telephone or in person to the Commissioner of Children and Families or to the local police department. Such report shall contain, if known, the names and addresses of the child and his/her parents or other person responsible for his/her care, the age of the child, gender of the child, the nature and extent of the child's injury or injuries, maltreatment or neglect, the approximate date and time the injury or injuries, maltreatment or neglect occurred, information concerning any previous injury or injuries to or maltreatment, or neglect of the child or his/her siblings, the circumstances in which the injury or injuries maltreatment or neglect came to be know to the reporter, the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment, or neglect and whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.
2. When a mandated reporter has reasonable cause to suspect or believe that any child has been abused or neglected by a member of the staff of a public or private institution or facility that provides care for such child, or public or private school he/she shall report as required in the above mentioned paragraph and shall also notify the person in charge of such institution, school or facility or the person's designee. Such person in charge, or his/her designee, shall then immediately notify the child's parent or other person responsible for the child's care that a report has been made.
3. A written report should be sent to the Commissioner of Children and Families or his/her representative within 48 hours if the initial report was made to the local police department. If the mandated reporter orally reported to the Commissioner of Children and Families initially, a follow-up written report it is not necessary. If the mandated reporter is a member of the staff of a public or private institution or facility that provides care for such child, or public or private school he/she shall also submit a report to the person in charge of such institution, school, or facility or the person's designee. In the case of a report concerning a certified school employee, a written report shall also be sent by the person in charge of such institution, school, or facility to the Commissioner of Education or his/her representative. In case of an employee of a facility or institution that provides care for a child, which is licensed by the State, a written report shall also be sent to the executive head of the sate licensing agency.
4. The oral report is made to the Central Intake toll free number which is available 24 hours a day, seven days a week. The number is 1-800-842-2288 Careline. Our DCF regional office is located at One Long Wharf, 4th Floor, New Haven, CT 06519, phone number is 786-0500.

In order to report a case to DCF, and/or the police department the reporter needs only suspect that abuse/neglect has occurred or is in danger of being abused. DCF and/or police is the agency charged with the responsibility of such cases.

## **Students**

### **Reporting Child Abuse**

#### **School Procedures**

1. School staff members may initially question the child to determine if the child's injuries resulted from other than accidental means, sexual abuse or malicious acts by the child's caretaker; however, in no case should the child be subjected to undue pressure in order to validate the suspicion of abuse. Validation of suspected child abuse is the responsibility of the Department of Children and Families and/or the police department. Any doubt about reporting can best be resolved by consulting with DCF.
2. Whether or not the report of suspected child maltreatment was initiated by the school, the suspected victim may be questioned by the DCF social worker and/or police officer and DCF may inspect school records as a part of their investigation without obtaining permission of the child's parent or guardian.

*Note: It is certainly advisable that DCF and/or the police interview a child at school with parental knowledge; however, in some situations where the child may be in immediate danger, it is not always possible.*

Under 17a-106 of the Connecticut General Statutes, "All law enforcement officials, courts of competent jurisdiction, school personnel and all appropriate state agencies providing human services in relation to preventing, identifying and treating child abuse and neglect shall cooperate toward prevention, identification and treatment of child abuse and neglect."

## **Students**

### **Reporting Child Abuse**

#### **Reporting Procedure When The Suspect Is A School Employee**

1. If it is suspected that a member of the school staff (certified or non-certified) has abused (physically/sexually) a student, an immediate report will be made to the principal, as well as to the Commissioner of Children and Families or to the local police department within 24 hours of suspecting or believing that a child has been abused or neglected. The principal will immediately forward this report to the director and the director will immediately forward such report to the Superintendent.
2. Whenever an investigation produces evidence that a child has been abused by a certified public school employee in a position requiring a certificate, the superintendent shall suspend such school employee. Such suspension shall be with pay and shall not result in the diminution or termination of benefits to such employee.
3. Within 72 hours after such suspension of a certified public employee the Superintendent shall notify the local Board of Education and the Commissioner of Education, or his/her representative, of the reason of and condition of the suspension. Any decision by the Superintendent concerning such suspension shall remain in effect until the Board of Education acts pursuant to the provision of Section 10-151 of the general statutes, as amended. If the contract of employment of a certified school employee is terminated as a result of an investigation pursuant to the above, the Superintendent shall notify the Commissioner of Education, or his/her representative, within 72 hours after such termination. Upon receipt of any required report the Commissioner of Education may commence certification revocation proceedings pursuant to the provisions of subsection (m) of section 10-145b of the general statutes as amended by P.A. 96-246.
4. Whenever an investigation produces evidence that a child has been abused by a staff member of a public or private institution or facility providing care for children or private school, such institution, school or facility may suspend such staff person. Such suspension shall be with pay and shall not result in diminution or termination of benefits to such employee. Such suspension shall remain in effect until the incident of abuse has been satisfactorily resolved by the investigative agencies involved.
5. If a school employee or any person holding a certificate issued by the State Board of Education under the provision of Section 10-144o to 10-149, inclusive, of the General Statutes is convicted of a crime involving and act of child abuse or neglect as described in sections 2 and 10 of P.A. 96-246 or a violation of section 53a-71 or 53a-73a of the general statutes, the state's attorney for the judicial district in which the conviction occurred shall in writing notify the Superintendent of the school district and the Commissioner of Education of such conviction.



## **Students**

### **Reporting Child Abuse**

#### **Reporting Procedure When The Suspect Is A School Employee (Continued)**

6. For the purposes of receiving and making reports, notifying and receiving notification, or investigating, pursuant to the provisions of P.A. 96-246, the Superintendent may assign a designee to act on his/her behalf.
  
7. Whenever a report has been made by a mandated reporter or any person alleging that abuse or neglect has occurred at an institution or facility that provides care for children which is subject to licensure by the state and the Commissioner of Children and Families, after investigation, has reasonable cause to believe abuse or neglect has occurred, the Commissioner shall forthwith notify the state agency responsible for licensure of such institution or facility of such information.

*Note: If the suspected member is the principal, school staff should make a report directly to the Supervisor*

## Students

### Reporting Child Abuse

#### Protection Against Liability

Connecticut General Statutes, Section 17a-101(h) as amended by P.A. 96-246, states that "Any person, institution or agency, which in good faith, makes the report required by this section shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceedings, which results from such report provided such person did not perpetrate or cause such abuse or neglect.

Any person who knowingly makes a false report of child abuse or neglect pursuant to P.A. 96-246 shall be fined not more than \$2,000 dollars or imprisoned not more than one year or both.

Legal References: Connecticut General Statutes

10-221 Boards to prescribe rules.

17a-93 Definitions

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 P.A. 96-246

17a-102 Report of danger of abuse. - as amended by P.A. 96-246

17a-103 Report by others. - as amended by P.A. 96-194

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse/neglect.

Policy adopted: August 14, 1995  
Revised: April 16, 1997

NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut

## **Students**

### **Suicide Prevention/Intervention**

The New Haven Board of Education recognizes that suicide has become a major cause of death among our young people. In accordance with C.G.S. 10-221(e), the New Haven Board of Education adopts the following policy.

The Board directs that all school employees who have knowledge of a suicide threat or attempt must report this information to the school principal who will notify the appropriate emergency services, staff members, and student's family.

The Board directs that there be training for school personnel regarding youth suicide and depression, thereby enhancing detection of students at risk for suicidal behavior.

Further, the Board directs provisions shall be made for student awareness through curriculum which addresses factors related to depression and youth suicide.

School staff will familiarize parents with the district's policy and procedures as well as continue to promote and offer positive youth development programs.

The Board directs that provisions will be implemented for a periodic evaluation of this policy and its procedures.

**Legal Reference:** Connecticut General Statutes

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

**Policy adopted:** August 14, 1995

**NEW HAVEN PUBLIC SCHOOLS**  
New Haven, Connecticut

## **Students**

### **Suicide Prevention/Intervention**

New Haven Public Schools clearly understands that the educational/intervention/evaluation components of the Suicide Prevention Policy are multidimensional. Clearly we must recognize that these functions require collaborative efforts between and among school staff, students, parents, and community resources.

#### **Prevention**

The prevention goals for this program are: (1) the promotion of health and well-being for students and staff, and (2) the early awareness of mental health problems which may lead to risk for suicide.

These goals will be accomplished through a comprehensive program addressing needs for: (1) staff development, (2) educational programs for students, and (3) parent and community education and awareness.

The Social Development Project for the New Haven Public Schools is a comprehensive instruction and support program which has as a major goal the prevention of unhealthy, destructive behaviors and the promotion of positive, health-promoting attitudes and activities. It is a system-wide prevention program with numerous components addressing the needs of children and adolescents, from kindergarten through high school. Prevention programs include classroom based social competence curriculum, extra-curricula support and enrichment activities, parent and community education and involvement, and ongoing staff training. All prevention programs are coordinated by and channeled through building-level administration, School Planning and Management Teams, and useful Health Teams.

At the staff development level, educational programs will promote knowledge about: (1) risk factors and warning signs for youth suicide, (2) indicators of poor mental health and functioning that increase risk for suicide, and (3) appropriate actions and available school and community resource.

Prevention education for students will be accomplished through ongoing social skills instruction. This program is designed to promote personal development in areas such as problem-solving, decision-making, stress management, self control and substance abuse prevention. These characteristics and skills are integral to the development and maintenance of positive mental health and thus the prevention of conditions that may increase risk for suicide.

## **Students**

### **Suicide Prevention/Intervention**

#### **Prevention (continued)**

Parent and community education will also be accomplished by activities and support programs developed by Mental Health Teams, School Planning and Management Teams, Social Development Staff, PTAs, and each school's total resources both human and otherwise. They provide a structure for dissemination of information about: (1) risk factors for poor mental health, including suicide risk, (2) information about community resources and avenues for both emergency and ongoing mental health treatment, and (3) education about methods to promote positive, healthy psychological development in children and adolescents.

#### **Evaluation**

In order to ensure the ongoing effectiveness of these procedures and their relevance to the school system, a periodic review of this document shall be undertaken. An advisory committee composed of school personnel, parents and representative members of the community will convene to assess the continued appropriateness of this document and make recommendations to the Board of Education for revision, if necessary. The Supervisor of School Social Work will convene the advisory committee in 2 years.

#### **Administrative Procedures**

\*The term "principal" shall be understood to mean "principal or designee."

##### **1. Substantiating the Referral**

The principal will:

- A. Gather background information including further discussion with the referral source
- B. Consult with school mental health professionals (school social worker, school psychologist, school nurse, guidance counselor) regarding all referrals and their disposition.

**Note:** The principal will follow the Accident Medical Emergency Routine in cases where the student's gesture involves life-threatening self-injury.

## Students

### Suicide Prevention/Intervention

#### Administrative Procedures (continued)

#### 2. Response to the Referral

##### A. The principal will:

- (1) Meet with school mental health professionals (school social worker, school psychologist, school nurse, guidance counselor) in order to develop a plan of action and define roles and responsibilities.
- (2) Gather data on recent student performance.
- (3) Ensure that the designated school mental health professional conducts a clinical interview, the same day, in order to determine the seriousness of the situation.

##### B. Based on the results of this interview and background data, the principal may take any or all of the following actions depending on the seriousness of the situation. The principal will:

- (1) Remain with the student to offer support. Do not leave student alone. In addition, he/she will explain his/her parent(s) because of their deep concern for him/her.
- (2) Contact the student's parent(s) or guardian to inform parent(s) of the situation and to request that at least one parent come to the school immediately.

\*If the parent(s) refuses to come to school, if they come but refuse to cooperate and/or, if their response could be harmful to their child, the principal will explain that the school will be required to file a medical neglect report with the Department of Children and Families. Both an oral report (same day) and written report (see Child Abuse Policy) will be filed with DCF.

If the parent(s) cannot be located then: consult with school mental health professionals (school social worker, school psychologist, school nurse, school guidance counselor) to jointly determine the most effective response including following medical emergency procedures to a combination of school personnel and/or relative accompanying the student to a medical facility, etc.

## **Students**

### **Suicide Prevention/Intervention**

#### **Administrative Procedures (continued)**

- C. When the parent(s) arrive at school, the administrator and the school mental health member who interviewed the student (if possible) will meet with them. The following points should be covered in the meeting:
- (1) The utmost seriousness of the situation.
  - (2) The need for an immediate suicide risk evaluation at a medical or mental health facility.
  - (3) The need for continued monitoring of the student at home if he/she is released following the evaluation.
  - (4) The need to "suicide-proof" their home, especially in removing the method the student had described in his/her plan.
  - (5) The need to obtain follow-up mental health counseling (explain that the school will be maintaining contact with the parent(s) to provide in-school support).
  - (6) A request for parent(s) to sign a release of information form for communication between the school and the facility to which the student will be taken, the student's therapist and other individuals as appropriate (see Appendix E, Release Form)
  - (7) Review of community resources that parent(s) can contact in case of an emergency (see Appendix G).
  - (8) Obtain further information from the parent(s) concerning the student's mental health history including therapy and previous suicide attempts. If the student is currently being seen by a mental health professional, the appropriate staff member will advise the parent to contact that professional immediately (see Appendix E, Release Form).
- D. The principal will contact the appropriate Central Office Executive/Director and inform him/her of the situation and actions taken.

## Students

### Suicide Prevention/Intervention

#### Administrative Procedures (continued)

#### 3. Follow-up

- A. The following day the principal will develop a plan and review with the parent the school plan which may be implemented to support the student in school. A school plan might include some of the following:
- Daily contact with appropriate school mental health professional.
  - Daily contact with parent(s).
  - Liaison with appropriate community agencies with parental releases.
  - Scheduled short term supportive counseling services from school mental health personnel with signed parental approval.
  - Consultation with instructional staff, etc.
- B. The following day the principal will initiate contact with the family to discuss their plans to provide professional help.
- C. Upon the student's return to school, the appropriate mental health professional (school social worker, school psychologist, school nurse, guidance counselor) who interviewed him/her initially will meet with him/her to offer continuing support.
- D. The designated school mental health professional, along with the principal will continue to monitor the student and will meet periodically to review the case.
- Frequent contact with student
  - Frequent contact with student's therapist (with written parental permission)
  - Contact with parent(s) as appropriate
  - Contact with staff and student's friends as appropriate



## Students

### Suicide Prevention/Intervention

#### Administrative Procedures (continued)

#### 4. General Procedures After School Hours

If a staff member has become aware of a potentially suicidal student after school hours, he/her should consider and take any or all of the appropriate actions:

- Contact the parents
- Contact the Emergency Communication Center - 911
- Contact student's therapist
- Contact the principal

#### 5. Special Issues in Using Procedures

- A. Support the student - Don't Panic - the most important message you must deliver to the student is one of an adult who is caring and in control. To understand someone who is depressed is to understand that he/she is emotionally out-of-control and therefore unable to make competent decisions.

Depending upon the relationship you have with the student, it is appropriate and helpful to listen without being judgmental. You must be both supportive and affirmative with the student in that you will ensure he/she receives appropriate assistance.

- B. Confidentiality - This crisis must be treated in strict confidence. Only those professionals who need direct involvement with both student, family, and community agencies need to be kept informed.
- C. Documentation - All actions taken by school personnel should be carefully documented. Such records should express facts, observable behaviors and actions, not opinions; they should not be placed in the student's permanent file, but rather in a student's supplementary file with the Executive Director of Pupil Services (see Appendix C).
- D. Special Education: In general, there should be no incompatibility between these procedures and those governing mandated students. The team should work closely with special education staff and involve them whenever appropriate.

## **Guidelines - Warning Signs of Suicide Potential**

1. Err on the side of caution. Do not wait for a situation to worsen if you are already concerned.
2. When in doubt, intervene and initiate a referral.
3. Suicidally is not limited to depressed, inhibited children; aggressive and impulsive children are also at risk.
4. Any number of distressing life situations may increase the risk for a child vulnerable to self destructive thoughts and actions, including domestic conflicts, moves, parental separation, disciplinary crises, etc.
5. Listen carefully and take the students' feelings and thoughts seriously.
6. Do not challenge or dispute suicidal statements or intent. Leave nothing to chance.
7. Don't assume that younger children understand the reality and finality of death. A younger child may take action with the belief that he/she can return to life after being dead for a while.
8. Never leave a suicidal student unattended.

### **Elementary School**

Suicide and suicide attempts are less common in elementary school age children than in adolescents. Since less is known about suicide and warning signs for suicide in this younger age group, the following list of warning signs cannot cover all possible manifestations of potential suicidally. Any suspicious behavior or communication that raises concern about suicide should be taken seriously and should lead to appropriate referral or to the principal. The following conditions and behaviors should raise strong concern:

1. Active talk about and preoccupation with suicide, the child's own or someone else's; in particular, talk about a plan for suicide or other indications of having such a plan should be regarded as an extremely serious warning sign.
2. Preoccupation with the idea of death, people who have died, wanting to be dead, wanting to join someone who is dead.
3. Indications of depression, such as pervasive sad mood, loss of capacity to enjoy play, social isolation, decreased ability to concentrate, decline in school performance, loss of appetite, fatigue, poor sleep, sleeping much more than usual, hopelessness, self blame and unusual levels of guilt, poor self esteem.
4. Repeated unexplained accidents.
5. Communication about self inflicted injury.
6. Contexts in which a child feels helpless, as though there is no way out, no solution, such as in some situations of sexual or physical abuse.
7. Recent death of someone close to the child.
8. Suicide of someone close to the child; also suicide attempts or talk by someone close, such as a parent, relative, or friend.
9. Making a will or giving away cherished possessions.

## **Guidelines - Warning Signs of Suicide Potential**

### **Highest Risk**

The presence of one or more of these warning signs always indicates the need for immediate referral and aggressive intervention:

1. Active suicidal statements, recent suicidal writings, especially when coupled with a specific suicidal plan, suicidal intent, and an expressed diminished fear of death.
2. The presence of suspicious-looking scratches, wounds, bruises, and/or burns on the body.
3. The possession of weapons, ammunition or explosives.
4. The suspicious possession of sharp objects, blades, cords, and rope.
5. Preoccupation with death, dying, the hereafter, and/or the expressed desire to be reunited with someone who is dead.
6. Evidence, through speech or behavior, of putting one's life in order, as in giving away personal possessions.
7. Sudden, unexplainable neglect of hygiene/appearance.
8. Pervasive appearance or expression of sadness, despair, hopelessness, helplessness, and/or sudden withdrawal.

### **Moderate to High Risk**

The presence of one or more of these signs may be indicative of suicidal potential, especially if they appear in clusters rather than in isolation. Although not always indicative of an urgent situation, closer scrutiny and rapid assessment of the situation are generally required:

1. Rapid, dramatic change in sleep pattern, appetite, energy level, and/or ability to concentrate.
2. Abrupt, marked shift in personality style and/or mood.
3. Preoccupation with one's failures, setbacks, and inadequacies.
4. Running away from home.
5. Preoccupation with death, satanism, and/or violence.
6. Deterioration of school performance, often accompanied by apathy and a sense of resignation and powerlessness.
7. Suddenly, unexplainably cutting off ties with friends, family resulting in marked withdrawal/isolation.
8. Loss of interest in activities and affiliations (church, sports, clubs, etc.) which were previously the source of enjoyment or gratification.
9. Presence of violent, abusive, or dare-taking behavior(s).
10. Loss of status/identity among peers.
11. Presence of alcoholism, substance abuse, domestic violence, physical/sexual abuse within the home.
12. Unresolved grief, especially around the anniversary of the death of a loved one, or due to a catastrophic event.

## General Policies - Medical Emergency Routine

### Scope

Routine applies in any emergency involving student, staff member, visitor.

Good Samaritan Law, C.G.S. Section 10-235, Protection of Educational Personnel/Board Members from Damage Suits, i.e., not liable if acting within scope of employment/under direction of local Board of Education.

### Emergencies Covered by this Policy

1. Serious Injury (e.g., fracture, head injury, severe bleeding, severe laceration, unconsciousness).
2. Illness-related episode (e.g., epilepsy, diabetes, allergy).
3. Serious behavioral problem involving endangerment to self or others.
4. Medication emergencies (an untoward reaction of a student to prescribed medication).
5. Allergic medical emergencies such as a bee sting and principal or teacher not trained to give injectable medication.

### Responsibility

The principal or his/her designee is the responsible agent for action.

### Routine

1. The first staff member who is aware of emergency will contact principal or his/her designee and Nurse, if Nurse is on premises.
2. Principal or his/her designee and Nurse, if on premises, will jointly determine severity of case and determine course of action.
  - A. School personnel never call ambulance directly.
3. If deemed necessary, principal, or his/her designee, or Nurse will call Emergency Communication Center.
  - A. Dial "9-911" from any Centrex telephone. (The red boxes attached to the school exterior contains a handset providing a direct line to emergency communications)
  - B. The emergency communications operator will answer.
  - C. All conversation will be recorded automatically.
  - D. Caller identifies self by name and status, and give school address.
  - E. Explain the emergency briefly.

**General Policies - Medical Emergency Routine**

**Routine (continued)**

4. **Communication Center**
  - A. Will repeat the address to insure accuracy.
  - B. Will dispatch Emergency Rescue Unit - EMT or Paramedic.
5. Principal will immediately notify parent of action taken and enlist involvement of parent.
6. Principal will prepare Accident Report.
7. If nurse is not on premises, principal will give him/her a report of the incident for appropriate notation on the child's Health Record.

**Suicide Intervention Form**  
**Confidential**

Student's Name \_\_\_\_\_ DOB \_\_\_\_ Age \_\_\_\_ Sex \_\_\_\_

Legal Guardian's Name \_\_\_\_\_

Address \_\_\_\_\_ Phone: H \_\_\_\_ W \_\_\_\_

Responsible Relative's Name \_\_\_\_\_

Address \_\_\_\_\_ Phone: H \_\_\_\_ W \_\_\_\_

Student referred by \_\_\_\_\_ School \_\_\_\_\_

1. State reason for referral  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. List behavioral or verbal indicators  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Describe actions taken		
Action	Date/Time	Person Responsible
_____		
_____		
_____		

4. Follow-up Plan		
Action	Date/Time	Person Responsible
_____		
_____		
_____		

\*Forward record to the Executive Director of Pupil Personnel.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Principal's Signature

REPORT OF SUSPECTED CHILD ABUSE/NEGLECT

CYS-138 (Rev. 2/90)

5141.5 - Appendix D

STATE OF CONNECTICUT  
DEPARTMENT OF CHILDREN AND YOUTH SERVICES

Division of Children and Protective Services  
170 SIGOURNEY ST., HARTFORD, CONNECTICUT 06105



See reverse side of yellow copy for summary of Connecticut law concerning the protection of children in cases of suspected child abuse. An ORAL REPORT SHOULD BE MADE IMMEDIATELY TO PROTECTIVE SERVICES in the Department of Children and Youth Services Regional Office having authority over the area in which the child resides. (See list of Regional Offices below.) This written report should be prepared WITHIN 72 HOURS and submitted to the same agency.

REPORTER: Keep YELLOW copy. Send the WHITE COPY to PROTECTIVE SERVICES of the Department of Children and Youth Services Regional Office.

REGIONAL OFFICE: Enter name of agency and social worker to whom assigned on the WHITE copy for your records.

Please print or type

CHILD'S NAME		CHILD'S ADDRESS		AGE OF CHILD
Parents or other person responsible for child's care	NAME	ADDRESS		
WHERE IS THE CHILD AT PRESENT?				DATE CHILD BECAME
ORAL REPORT WAS MADE TO		DATE OF ORAL REPORT	DATE OF SUSPECTED CHILD ABUSE	
Suspected perpetrator if known	NAME	ADDRESS		
NATURE, EXTENT AND EXPLANATION OF THE SUSPECTED ABUSE				

LIST NAMES AND AGES OF SIBLINGS IF SUSPECTED ABUSE

REPORTER'S NAME AND AGENCY	ADDRESS	TELEPHONE
REPORTER'S SIGNATURE	POSITION	DATE

DCYS USE ONLY	REGIONAL OFFICE LOCATION			NAME OF ASSIGNED SOCIAL WORKER			NAME OF AGENCY ASSIGNED, IF NOT PROTECTIVE SERVICES		
	CITY	STREET ADDRESS	PHONE NO.	CITY	STREET ADDRESS	PHONE NO.	CITY	STREET ADDRESS	PHONE NO.
DCYS REGIONAL OFFICE LOCATIONS	BRIDGEPORT	1115 Main St	888-4 578-8150	HAMDEN	2105 Main St	866-4 788			
	DANBURY	131 West St	388-10 797-4040	NORWICH	331 Main Street	860-2 3600			
	HARTFORD	1049 Asylum Ave	861-08 588-1184	ROCKVILLE	1 Court Street	860-8 972			
	MERIDEN	Box #2 Underhill Rd	384-50 278-8188	STAMFORD	1842 Bridge St	860-3 14			
	MIDDLETOWN	121 Main Street East	864-57 344-2130	TORRINGTON	362 Main St	860-7 44			
	NEW BRITAIN	149 Main St	383-1 827-7137	WATERBURY	614 Middle St	867-7 15			
				WILLMANTIC	1309 Main St	867-8 450			

WHITE COPY: REGIONAL OFFICE COPY YELLOW COPY: REPORTER COPY

DEPARTMENT OF PUPIL SERVICES  
NEW HAVEN PUBLIC SCHOOLS  
NEW HAVEN, CONNECTICUT 06519

THIRD PARTY RELEASE FORM

I give permission to the New Haven Public School System to release/gain (*please circle*) the following records of my child \_\_\_\_\_.

*Name of Child*

*Date*

Specific Party: \_\_\_\_\_

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Please check documents you wish to be released:

_____	Psychological Reports	_____	Medical Reports
_____	Education Evaluations	_____	Psychiatric
_____	Speech/Hearing/Language	_____	Evaluations
_____	Evaluations	_____	Evaluations from
_____	Individualized Education	_____	Outside Agencies,
_____	Programs	_____	Doctors, Schools
_____	Home/School Correspondence	_____	Special Education
_____	Disciplinary Records	_____	Progress Report
		_____	School Social Work
		_____	Assessment
		_____	Other

Reason to Release: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Parent's Signature*

*Date*

Return Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This information is for the confidential use of the above-named personnel only who are directly involved in helping your child.

WHITE: Central Office    YELLOW: School    PINK: Parent



**EMERGENCY RESOURCES**

**ACUTE:** (Adolescent Crisis Unit for Treatment and Evaluation)

789-3252

116 Sherman Avenue

(24 hours)

After 5:00 p.m., answering service will immediately contact clinician on call. Family may be advised to proceed directly to St. Raphael's Emergency Room if necessary. (Ages 11-18)

**CPES:** (Children's Psychiatric Emergency Service)

789-3750

116 Sherman Avenue

24 hours

After 5:00 p.m., answering service will immediately contact clinician on call. Family may be advised to proceed directly to St. Raphael's E.R. if necessary (under age 10).

**CONNECTICUT MENTAL HEALTH CENTER**

**Emergency/Crisis Intervention**

789-7300

34 Park Street

8:45-4:15 p.m. evening walk-in 5:00-10:00 p.m.

ages 17 and up

physician on duty

**Hispanic Services Unit**

789-7812

1 Long Wharf Drive

Mon., Tue., Thurs., Fri. - 9:00-5:00

Wed. - 11:00-7:00

(Ages 18 and up)

**EMERGENCY COMMUNICATION CENTER**

911

24 hours

when responsible adult cannot be reached

**ST. RAPHAEL'S EMERGENCY ROOM**

789-3464

24 hours

1450 Chapel Street

Physician can refer to CPES or ACUTE, which have clinicians on call.

**EMERGENCY RESOURCES**  
(continued)

**YALE NEW HAVEN HOSPITAL EMERGENCY ROOM**

785-2222  
20 York Street  
24 hours  
Can refer to Child Study Center. Clinician on call  
(to age 16)

**CATHOLIC FAMILY SERVICES**

787-2207  
478 Orange Street  
Individual and Family Counseling

**CLIFFORD BEERS GUIDANCE CLINIC**

772-1270  
93 Edwards Street  
Mental health services for children, youth and their families. (to age 18)

**FAMILY COUNSELING OF GREATER NEW HAVEN**

865-1125  
1 State Street  
Comprehensive mental health services

**HILL HEALTH CENTER**

776-9594  
400-428 Columbus Avenue  
Offers individual and family counseling, some eligibility restrictions may apply.

**INFO LINE**

624-4143  
Weekdays 9:00 - 9:00; Sat. 5:00 - 5:00  
1. Spanish spoken  
2. Professionally staffed information service on community resources.

**JEWISH FAMILY SERVICE**

777-6641  
152 Temple Street  
Family and individual counseling

**YALE CHILD STUDY CENTER**

785-2513  
230 South Frontage Road  
Multi-disciplinary guidance clinic for children to age 18

## Guidelines for Principals

The principal is responsible for following all New Haven Public Schools policy and procedures regarding suicide.

These responsibilities include:

1. Having a designee(s) with knowledge of New Haven Public Schools Suicide Prevention Policy and procedures.
2. Recognition of warning signs (see Appendix A).
3. Acceptance that despite their skills in working with students, they are not trained therapists. Therefore, principals must accept that any attempt to provide therapy is inappropriate and may further endanger the student.
4. Life-saving actions take precedence over issues of confidentiality.
5. The principal and/or his/her designee must convey to the student an image of caring and being in control.
6. The principal must assign a staff member to remain with the student.
7.
  - A. Principals must be familiar with "Guidelines for Talking With Students About Suicide/Sudden Death" (see Appendix I).
  - B. Principal may contact the appropriate central office administrator(s) to request assistance if he/she does not feel that he/she and/or his/her staff members can adequately facilitate discussion regarding Suicide/Sudden Death.
8. Principals are required to file a medical neglect report with the Department of Children and Families (136 see Appendix D) if parents refuse to come to school, cooperate and/or if their response could be harmful to their child who has exhibited suicidal gestures, threatened suicide or attempted suicide.

## Guidelines for Teachers

As the individuals of the school who are most probably in closest daily contact with students, teachers need not only remain alert to the possibility of an impending suicide, but must be totally familiar with their responsibilities and be prepared to act accordingly.

These responsibilities are:

1. Recognition of warning signs.

These are listed in Appendix A. Teachers should not only learn these signs, but use the training programs provided by the school system regarding suicide prevention to clarify any questions they may have.

2. Acceptance of the legal, as well as humane need, to inform the principal or his designee regarding the teacher's suspicions.

Teachers must accept that life-saving actions take precedence over issues of confidentiality. Teachers cannot enter into any "secret" contract with students regarding this issue.

- Contact the parents
- Contact the Emergency Communication Center 911
- Contact the Student's Clinician and contact the principal

3. Understanding of teachers' limitations.

No matter how skilled, close, or involved teachers may be with their students, teachers must accept they are not trained to do therapy; and that, in fact, any such attempt may exacerbate an existing situation.

4. Utilizing teachers' strengths.

Simultaneously with informing the principal or his designee, teachers should make every attempt to take a stance which conveys to the student the teacher is caring and in control. It is appropriate to listen, to be affirmative and supportive; and it is essential in a crisis situation that the teacher remain with the student until other personnel become involved as a consequence of the administrative notification.

5. Helping other students

Teachers should be familiar with "Guidelines for Talking with Students about Suicide/Sudden Death" (see Appendix I). Students should be allowed to discuss as long as appropriate, to go to trained personnel in the school for short-term support, or to call parents.

## Guidelines for Teachers

If a teacher does not feel adequate to facilitate such discussion, the teacher should request support staff to facilitate, or assist, the teacher with the follow-up task.

6. Integrating ongoing curricula factors

As part of the educational program, teachers should foster development of self-esteem, effective problem-solving and coping skills, and engender the strength of trusting relationships.

### Concluding Note

Because of the many variables which may be present in situations of gestures toward, attempted, or suspicion of suicide, teachers, should err on the side of caution, and inform the principal or his designee. In addition, teachers should record in writing, as soon as possible, both their concerns about a student and the action the teachers took to act on those concerns. Such documentation should be recorded on the Suicide Intervention Form (see Appendix C) which the principal will forward to the Executive Director of Pupil Personnel.)

## **Guidelines for Talking to Students about Suicide/Sudden Death**

1. Prepare students for the serious and tragic nature of the information you are about to share with them. Say that it is expected that this news will upset many of them and that both you and other staff are there to help them get through this.
2. Announce the facts of the situation and what actions are being taken as a result (i.e., all classes are being informed, counseling centers are being set up. Social Worker, psychologist, nurse are available, etc.
3. Allow students to react. Pay special attention to the following:
  - A. Dispel any rumors or unconfirmed information.
  - B. Stress that we each react differently to tragedies and must respect one another's feelings and ways of reacting.
  - C. Point out that grief, sadness, anger, guilt, fear and disbelief are all normal reactions to such news.
  - D. For many, a tragic occurrence can re-awaken memories of earlier losses.
4. Convey a sense of acceptance for all the feelings expressed, avoid judgmental or value statements about anyone's feeling
5. Note that some people's feelings will be stronger than others and that individual help is available (name where and with whom) for those who want to discuss their feelings further with someone.
6. If student's reactions seems particularly intense or you feel unable to respond to them adequately, strongly encourage them to seek assistance from one of the designated counseling centers, if available. Offer to accompany them to the center after class. Refer to school social worker or school psychologist.
7. Be aware of your own feelings. You do not have to be so controlled that you seem to be aloof. Shared feelings are a source of strength. However, if you feel the need, do ask a trusted colleague or one of the mental health professionals to join your class for the period.
8. Encourage students to be supportive of one another but stress the importance of seeking help or encourage their friends to seek help from adults if their feelings seem more intense or persistent than "normal."
9. Reassure students that they are not responsible for what happened - discourage guilt and unrealistic "hindsight regrets." Instead, focus discussion on how they might use what they now know to avoid similar tragedies in the future.

## **Guidelines for Talking to Students about Suicide/Sudden Death**

10. **Stress that the feelings students now have are temporary and will diminish with time; display your own sense of assurance that things will get better.**
11. **In cases of suicide, avoid glamorizing the death or dead person. Stress that this was a tragic and unnecessary event.**
12. **In cases of suicide, avoid focusing on the details or circumstances that led up to the person's death; stress that suicide is a permanent solution to a temporary problem and focus discussion on how the person might have gotten help to avoid this tragic ending. Stress that suicide is no a normal reaction to life's setbacks.**
13. **Allow students who do not want to participate in the discussion to study quietly in the room or seek assistance as described below. Don't assume that the lack of a visible reaction means the student has no reaction.**
14. **Allow as much time as students seem to need for the discussion. Try to move discussion toward how students can help one another express sympathy for the family and help to prevent (in the case of suicide) similar tragedies.**
15. **End the class by reminding students of the counseling and support services that are available.**
16. **Finally, we cannot ignore our own needs if we are to help our young people to cope. Let's not forget to support each other.**

**Students****Psychotropic Medication**

The New Haven Board of Education prohibits all school personnel that are not members of the school medical staff from recommending the use of psychotropic medication for any student enrolled within New Haven Public Schools. Members of the school medical staff, which is defined as doctors, nurses and physician's assistants that staff a school based health clinic, school nurses and the district's medical advisor, may recommend to a parent that a student be evaluated by an appropriate medical practitioner to determine whether the student would benefit from the use of psychotropic medication. School personnel may consult with the medical practitioner regarding the evaluation and use of such medication with written parental consent.

The refusal of a parent or other person having control of a child to administer or consent to the administration of any psychotropic medication to the student in most instances shall not, without more, constitute a reasonable suspicion of abuse or neglect by any school staff member, unless such refusal causes such child to be neglected or abused, as those terms are defined in C.G.S. 46b-120.

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

**Legal Reference: Connecticut General Statutes:**

PA 01-124 An Act Concerning Recommendations For and Refusals of the Use of Psychotropic Drugs by Children and Utilization Review Determinations related to Mental and Nervous Conditions.

46b-120 Definitions

Policy adopted: January 14, 2002

NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut



## **Students**

### **Questioning and Apprehension**

When a student becomes involved with law enforcement officers, the officer is to be requested to confer with the student at a time when the student is not under the jurisdiction of the school, if this can be arranged. The following steps shall be taken to cooperate with the authorities:

1. The officer shall properly identify himself/herself.
2. Parents are notified immediately, if possible. The principal should make every effort to inform parents or guardians of the interest of the police authorities.
3. The student's parent or guardian, unless the right is waived by the parent or guardian, must be present if the conference is held in the school. If no parent or guardian is present, the principal or the principal's designee must be present.

### **Police Officer's Rights with Regard to Students**

Attorneys generally agree on the following interpretations to three key questions:

1. Have police officers the right to question students within the school?

Police officers have no absolute right to enter school premises and demand to interrogate any student. However, a spirit of cooperation should be extended to any bona fide police or law enforcement official who comes to a school seeking to interrogate students.

2. Have police officers the right to take students from school?

Police officers have not right to remove a student from the school for purposes of interrogation, and this should no be allowed in the absence of the specific consent of parent or guardian.

However, police officers, counselors of the juvenile court, or other authorized law enforcement officials have an absolute right to enter the school to take a student into custody or to make a lawful arrest of a student. However, the officer should be made to display either an order signed by a judge or the juvenile court authorizing him/her to take the student into custody, or to display a warrant for the student's arrest.

## **Students**

### **Questioning and Apprehension**

#### **Police Officer's Rights with Regard to Students**

The officer need not display a warrant if the officer observed the student commit a violation of law. The officer's oral statement to this effect shall be sufficient. (A witness to this statement is desirable).

If the student is arrested or taken into custody at a school, the school officials shall take immediate steps to notify the parent, guardian or responsible relative of the minor regarding the release of the minor to such officer, and regarding the place to which the minor is reportedly being taken.

3. **Have the police officers the right to serve a subpoena?**

While police officers have the legal right to serve a subpoena at school, the school system believes that the serving officials should be strongly urged to serve these subpoenas at the home of the student whenever possible. The subpoena may be served only in the school office in the presence of the school principal or designee.

In all of these situations, every possible step should be taken to insure a minimum of embarrassment or loss of class time for the student.

The office of the Superintendent, Executive Director of Pupil Personnel Services and the appropriate Supervisor of Instruction should be notified immediately when any of the above actions are occurring.

(cf. 1411 - Relations with Law Enforcement Agencies)

## **Students**

### **Search and Seizure**

#### **Desks and School Lockers**

Desks and school lockers are 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 the following conditions:

1. There is reason to believe that the student's desk or locker contains 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 has been informed in advance that school board policy allows desk 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.

#### **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 not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

**Legal Reference:** Connecticut General Statutes

10-221 Boards of education to prescribe rules.

*New Jersey v. T.L.O.*, 469 U.S. 325; 105 S.Ct.733.

**Policy adopted:** August 14, 1995

**NEW HAVEN PUBLIC SCHOOLS**  
New Haven, Connecticut

## **Students**

### **Search and Seizure**

#### **Justification for Student Searches**

Students possess the right to be free of unreasonable searches and seizures under the fourth amendment of the constitution of the United States. Balanced against this right is the school officials' responsibility to create and maintain an environment consistent with school's educational mission. School officials have a duty to protect the health, safety and welfare of all students under their authority.

#### **Prohibited Items**

Students are requested not to bring to school items or substances which would disrupt the educational function of the school or which are prohibited by school board regulations or by law. Examples of items or substances in this category are weapons, clubs, explosives, firecrackers, alcoholic beverages and nonprescription drugs or drug paraphernalia.

#### **Lockers and Other School Property**

Lockers and other storage spaces are provided to students for their convenience. These storage areas remain school property, and as such, are subject to periodic inspections by school authorities. The purpose of such inspections is not to collect evidence of wrongdoing on the part of a single student, but rather to allow school authorities responsible for the appropriate use of school property the opportunity to confirm that lockers are being used in a manner consistent with the health and safety of all students. Students are therefore warned not to store items in lockers which they do not want to bring to the attention of school authorities.

#### **Emergencies**

Circumstances which put the safety of students or school staff at risk or could result in substantial property damage also will constitute sufficient reasons for school or police officials to conduct a thorough search of all school property. A bomb scare is an example of such an emergency.

## **Students**

### **Search and Seizure**

#### **Student Searches**

School authorities are authorized to conduct searches of students or their property when reasonable suspicion indicates that a particular student is in possession of an item or a substance that represents a material threat to school routine or is prohibited by school board regulations or by law. Student property shall include, but not be limited to, purses, bookbags and cars. If students don't have access to their cars during school hours, the justification for searching student-driven cars is removed. School authorities in cooperation with the local police department reserve the right to conduct sniff searches with dogs of school property and student-driven cars.

#### **Police Notification**

With regard to possession of items that constitute a violation of law, school authorities may wish to cooperate with the appropriate law enforcement agencies in the interest of preserving the integrity of the school's educational mission.

#### **Lockers and Other School Property (Desks)**

1. The school principal or his/her designee shall maintain an accurate list of all locker assignments and either a master key or combinations to all lockers.
2. At the time a student is assigned a locker or other storage space, he or she shall be informed that school authorities are empowered to conduct random periodic inspections of school lockers. Notices of this inspection policy also shall be posted in appropriate locations throughout the school.
3. Students also will be informed of the following locker regulations:
  - A. Students are responsible for the contents of the locker assigned to them.
  - B. Students are to keep their lockers locked.
  - C. Students are not to give other students access to their locker.

## **Students**

### **Search and Seizure**

#### **Lockers and Other School Property (Desks) (continued)**

4. The exercise of that 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 desk or locker under the following conditions:
  - A. There is reason to believe that the students' desk or locker contains contraband material and the presence of said material poses a serious threat to the maintenance of discipline, order, safety or health in the school.
  - B. The search of a group of students' desks or a group of students' lockers where no particular student within the group is suspected may be conducted only if there is a reasonable suspicion of conduct immediately harmful to students, staff or school property.

### **Prescription Drugs**

Students who have a legitimate need to bring prescription drugs to school should register this information in the nurse's office. (cf. 5141.21 - Administration of Medication)

### **Lost or Abandoned Items**

Lost or abandoned items will be inspected by school authorities.

### **Student Searches**

1. All searches of students shall be conducted or authorized by the principal or designee, in the presence of a witness.
2. When the need to search a student arises, the student may be asked to give his or consent to the search, but in no event shall the student be threatened with harsher punishment or treatment for refusing to consent, nor shall he or she be coerced or induced to give consent in any other manner. The consent, if given, shall be put in writing. If the student is unwilling to give free and voluntary consent, the school administrator may order the student to submit to a search. If the student refuses to obey the order, the school administrator may bring insubordination charges against the student as stipulated in applicable school regulations.

## **Students**

### **Search and Seizure**

#### **Student Searches (continued)**

3. Searches should be no more intrusive than necessary to discover that for which the search was instigated.
4. A search of a student's handbag, gym bag or similar personal property carried by a student may be conducted if there is "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.
5. Locker searches shall be conducted in the presence of another staff member and in the presence of the student responsible for the contents of the locker, if possible.
6. Searches may include, if school authorities think necessary, a frisk or patdown of student clothing. Frisk or patdown searches shall be conducted by a member of the same sex as the student and in the presence of another staff member.
7. At no time should school officials conduct a search which requires a student to remove more clothing than his/her shoes or jacket. If school authorities are convinced that a more intrusive search is required to expose contraband they should advise the proper law enforcement agency.
8. A search of a student's person, or a search of a group of students where no particular student within the group is suspected, may be conducted only if there is a reasonable suspicion of conduct immediately harmful to students, staff or school property. "Strip searches" of students are prohibited by employees of this school district.
9. Student searches which disclose evidence of school misconduct, but not criminal misconduct, should be treated according to applicable policies and/or regulations.

**Students**

**Search and Seizure**

**Student Searches (continued)**

10. In the event that a student search discloses evidence of criminal wrongdoing, the school principal or his/her designee shall determine whether or not police officials should be notified of the fruits of the search. If police officials are notified the student's parents should be advised of this fact as soon as possible.

**Student Notification**

Students shall be informed annually that board policy allows student search and school desk/locker search.

**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)

PA 94-115 An Act Concerning School Searches.

Regulation approved: August 14, 1995

NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut



**Students**

**Search and Seizure**

**Student Interrogations, Searches and Arrests**

1. What factors cause you to have a reasonable suspicion that the search of this student or his or her effects, locker or automobile will turn up evidence that the student has violated or is violating the law or the rules of the school?

A. Eyewitness account:

1. By whom: \_\_\_\_\_
  2. Date/time: \_\_\_\_\_
  3. Place: \_\_\_\_\_
  4. What was seen: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

B. Information from a reliable source.

1. From whom: \_\_\_\_\_
  2. Time received: \_\_\_\_\_
  3. How information was received: \_\_\_\_\_
  4. Who received the information: \_\_\_\_\_
  5. Describe information: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

C. Suspicious behavior. Explain: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

D. Time of search: \_\_\_\_\_

E. Location of search: \_\_\_\_\_

F. Student told purpose of search: \_\_\_\_\_

G. Consent requested: \_\_\_\_\_

**Students**

**Search and Seizure**

**Student Interrogations, Searches and Arrests (continued)**

2. Was the search you conducted reasonable in terms of scope and intrusiveness?
- A. What are you searching for: \_\_\_\_\_
  - B. Sex of the student: \_\_\_\_\_
  - C. Age of the student: \_\_\_\_\_
  - D. Exigency of the situation: \_\_\_\_\_
  - E. What type of search is being conducted: \_\_\_\_\_
  - F. Who is conducting the search: \_\_\_\_\_  
Position: \_\_\_\_\_  
Sex: \_\_\_\_\_
  - G. Witness(es): \_\_\_\_\_
3. Explanation of Search.
- A. Describe the time and location of the search: \_\_\_\_\_
  - B. Describe exactly what was searched: \_\_\_\_\_
  - C. What did the search yield: \_\_\_\_\_
  - D. What was seized: \_\_\_\_\_
  - E. Were any materials turned over to the police: \_\_\_\_\_
  - F. Were parents notified of the search, including the reason for it and the scope: \_\_\_\_\_  
\_\_\_\_\_

5/94

cc: Director of Security  
Executive Director of Pupil Personnel Services  
Supervisor of Instruction

## Students

### Search and Seizure

#### Use of Metal Detectors

In view of the escalating presence of weapons used by and against school aged youth, the Board authorizes the use of hand-held and/or walk-through metal detectors to check a student's person or personal effects as follows:

- A. School officials or school security officers may conduct metal detector checks of all students entering the building before the start of the school day or for a school sponsored event and/or random searches of students (e.g., every third student entering school) if the checks are done in a minimally-intrusive, nondiscriminatory manner. Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals.
- B. If a school official or a school security 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.
- C. A student's failure to permit a metal detector check as provided in this policy will be considered grounds for disciplinary action.

The Superintendent and/or the Board of Education 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 uses 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 may be scanned by metal detector for guns, knives or other illegal weapons when on campus or attending athletic or extracurricular events.

(cf. 5142.12 – Search and Seizure)

Legal Reference: Connecticut General Statutes  
10-221 Boards of education to prescribe rules.  
New Jersey v. T.L.O., 469 U.S. 325 (1985)  
PA 94-115 (C.G.S. Sec. 54-33n) An Act Concerning School Searches

Policy adopted: October 10, 2006

NEW HAVEN PUBLIC SCHOOLS

## **Students**

### **Search and Seizure**

#### **Use of Metal Detectors**

The use of metal detectors in district schools is subject to the following procedures:

1. A notice will be posted in a central location at each school stating that weapons are not permitted at school and that students may be required to submit to a metal detector check. In addition, the metal detector policy will be included in future publications of the Student Code of Conduct and in Student/Parent handbooks.
2. Before conducting the metal detector checks, the building principal or his/her designee or school security officer will explain the scanning process to students, emphasizing that the checks are intended to maintain safe schools.
3. Before walk-through, students shall be asked to empty their pockets of metal objects and place the objects, together with their backpack, purse or other personal belongings on the table. Personal belongings may be subject to a metal detector check.
4. After an initial activation occurs, students shall be asked to walk through a second time.
5. If a second activation occurs, a hand-held metal detector will be used to detect the object(s) causing the activation.
6. If the activation is not eliminated or explained, staff shall escort the student to a private area for further inspection.
7. The search shall be limited to the detection of weapons. Upon activation of the detector, any subsequent search should be limited to the detection of the metal that caused the activation in the first place. For example, a school official should not use the fact of the activation to search a container which would obviously not hold a weapon.

#### **Metal Detector Checks of Individual Students**

Before conducting a metal detector check of an individual student, the administrator or officer must have individualized reasonable suspicion that the student is in possession of an illegal or unauthorized metal-containing object or weapon. The provisions of the board policy regarding personal searches shall be followed under these circumstances.

If a properly conducted search yields a weapon or any other illegal material, it shall be turned over to the proper legal authorities for ultimate disposition.

## **Students**

### **On-Campus Recruitment**

Subject to the provisions of subdivision (11) of subsection (b) of section 19 of the Connecticut General Statutes, the high schools of the school district shall provide the same directory information and on-campus recruiting opportunities to representatives of the armed forces of the United States of America and state armed services as are offered to nonmilitary recruiters, recruiters for commercial concerns and recruiters representing institutions of higher education.

Directory information or class lists of student names and/or addresses shall not be distributed without the knowledge of the parent or legal guardian of the student or by the student who has attained majority status.

The school administrator may make the determination of when the recruitment meetings are to take place and reserves the right to deny such meeting where the holding of such meeting will materially and substantially interfere with the proper and orderly operation of the school.

Any person or organization denied the rights accorded under this policy shall have the right to request a review of the decision by the Board of Education by filing a written request with the Superintendent of Schools.

(cf. 5125 - Student Records; Confidentiality)

**Legal Reference:** Connecticut General Statutes

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

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

**Policy adopted:** August 14, 1995

**NEW HAVEN PUBLIC SCHOOLS**  
New Haven, Connecticut

## **Students**

### **Freedom of Speech/Expression**

#### **Right to Assemble**

Students have the right to assemble provided that school authorities regulate the times and locations of speeches and assemblies, and require at least a week's notice to avoid scheduling conflicts and insure proper protection of the school community. The gathering must be peaceful and nondisruptive to the educational process.

#### **Freedom of Speech//Expression**

It shall be the policy of the school district to recognize and protect the rights of student expression. It will maintain a balance of these rights with the interests of an orderly and efficient educational process and of a school environment suitable for the healthy growth and development of all students. This policy will not be implemented on behalf of any other interests.

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

In order to protect the educational process and school environment, printed material produced or distributed within the confines of school district property shall meet the following criteria:

1. Material shall be noncommercial.
2. Material shall not contain libelous or obscene language.

## **Students**

### **Freedom of Speech/Expression**

3. Material shall not advocate illegal actions.
4. Material shall not contain false statements or innuendoes that would subject any person to hatred, ridicule, contempt or injury of reputation.
5. Material will not imminently threaten to disrupt the educational process of the school.
6. Material shall not advocate action that would endanger the health or safety of students.
7. Material shall not invade the lawful rights of others.
8. Material published, posted or otherwise distributed shall 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.
9. Material may not be sold on school property, nor can material which seeks a donation or solicits funds be circulated.
10. Distributors of materials will be held responsible for cleaning up litter caused by such distribution.

**Legal Reference:** *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969).

*Grayned v. City of Rockford*, 408 U.S. 104 (1972).

Amendment of U.S. Constitution - Article I.

Connecticut Constitution, Article First, Declaration of Rights, Sections 4, 5.

Academic Freedom Policy (adopted by Connecticut State Board of Education, 9/9/81).

**Policy adopted:** August 14, 1995

**NEW HAVEN PUBLIC SCHOOLS**  
New Haven, Connecticut

## **Students**

### **Sexual Harassment**

Sexual harassment is a form of sexual discrimination and is illegal under both federal and State laws.

Should sexual harassment be alleged, it is the policy of the New Haven Board of Education that the allegation(s) shall be thoroughly investigated, that there shall be no retaliation against the victim of the alleged harassment, and that the issue shall be expeditiously and appropriately addressed.

### **Definition**

Sexual harassment is defined as any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or her/his academic status or progress;
- B. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or
- C. Such conduct has the purpose or effect of substantially interfering with an individual's work or academic performance, or creating an intimidating, hostile or offensive working or academic environment.

Sexual harassment can occur male to female, female to male, female to female and male to male. Sexual harassment can involve staff members, students, vendors, independent contractors, volunteers, or parents.

Sexual harassment will not be tolerated in the New Haven public schools.

### **Examples of Sexual Harassment**

Sexual harassment can be verbal, non-verbal or physical. Although it is not possible to list all behaviors which could constitute sexual harassment, some specific behaviors that have been found to comprise sexual harassment are:



## **Students**

### **Sexual Harassment**

#### **Examples of Sexual Harassment (continued)**

- telling sexual jokes or stories;
- making sexual comments about a person's clothing, anatomy or appearance;
- repeatedly asking out a person who is not interested;
- telling lies, spreading rumors, or gossiping about a person's personal sex life;
- whistling, cat calls, making kissing sounds, smacking lips, howling;
- following a person or blocking a person's path;
- displaying sexually explicit or suggestive posters, cartoons, pictures, calendars or other similar materials;
- making sexual gestures with hands or through body movements;
- giving gifts of a personal or suggestive nature;
- unwanted touching of people or their hair or clothing;
- hugging, kissing, patting or stroking;
- touching or rubbing oneself sexually around another person;
- standing close to or brushing up against a person;
- requesting sexual favors in exchange for employment or academic benefits or to avoid negative employment or academic consequences;
- assault;
- attempted rape;
- rape.

In addition to being examples of sexual harassment, incidents of assault, attempted rape, rape and similar actions constitute criminal behavior and must be treated as such. These incidents must be reported immediately to the appropriate administrator, to the local police department, and, where appropriate, to State officials.

If an employee or student of the New Haven Public School System believes that his or her rights have been violated under the provisions of Title VII of the Civil Rights Act of 1964, the Connecticut Fair Employment Practices Act, and/or Title IX of the Education Amendments of 1972, laws which prohibit sexual discrimination in the workplace and within educational institutions, a complaint may be filed.

**Students**

**Sexual Harassment**

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

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

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

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

**Connecticut General Statutes**

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

**Policy adopted:** August 14, 1995

**NEW HAVEN PUBLIC SCHOOLS**  
New Haven, Connecticut

## **Students**

### **Sexual Harassment**

#### **Complaint Procedure**

The purpose of the following procedure is to ensure that the New Haven school district remains in compliance with State and Federal laws regarding discrimination and sexual harassment. All proceedings shall be kept confidential to the extent consistent with the Board's obligations under law and its obligations to investigate. Any reprisals against a complainant or witness shall be viewed as a violation of the New Haven Public School Sexual Harassment Policy and subject to appropriate, independent disciplinary action, up to and including termination.

#### **Informal Process**

Prior to the filing of a formal sexual harassment complaint, an individual may seek resolution through an informal process. This avenue may be appropriate in situations where possible miscommunication has occurred, or where thoughtless, unintentional behavior has caused distress. Under the informal process, the individual who believes that she/he has been harassed should immediately inform the other party that the behavior is unwelcome, illegal offensive, unprofessional, inappropriate, or in poor taste. Such communication may be oral or in writing should include a description of the offensive behavior and a request that such behavior cease. It is strongly recommended that, regardless of the manner employed to address the issue of harassment, the victim should keep detailed written notes on all incidents which the individual believes comprise sexual harassment. This informal process is discretionary on the part of the individual who believes she/he has been harassed and not a required part of the Board of Education's Complaint Procedure which may be commenced as described below.

#### **Formal Process**

Any employee or applicant for employment who wishes to register a complaint alleging discrimination or sexual harassment in the New Haven public school system may file such a complaint with her/his immediate supervisor, or the Director of Staff Placement, Evaluation and Development or the Executive Director of Pupil Personnel Services. Any student, parent or guardian who wishes to register a complaint alleging discrimination or sexual harassment in the New Haven public school system may file a complaint with the relevant principal, the Chief Executive Director, the Executive Director or the Superintendent of Schools. The Superintendent of Schools and the Chairperson of the Board will be notified immediately of all complaints and the Superintendent of Schools shall notify the Board of Education at its next regular meeting.

## **Students**

### **Sexual Harassment**

#### **Formal Process (continued)**

Upon the filing of a complaint, a thorough, objective and complete investigation of all allegations will be undertaken. The investigator(s) may consult with the Board's attorneys with the approval of the Chairperson of the Board. The investigation may involve all individuals reasonably believed to have relevant information, including the complainant, the individual accused in the complaint, witnesses, and individuals who are alleged to have been the victims of similar conduct. The investigator shall make a written report with the results of the investigation and recommendations for the disposition of the matter to the Superintendent of Schools. Copies shall be provided to the complainant and the individual accused in the complaint. The Superintendent of Schools shall take action as she/he deems appropriate, which action may include a recommendation to the Board that an employee who has been determined to have committed sexual harassment be terminated from her/his employment. The Board shall act upon such a recommendation in executive session, subject to the rights of tenured certified employees to have a hearing before an impartial hearing panel or the right under the Connecticut Freedom of Information Act of a public employee to require such meeting to take place in public session.

At all times during the Complaint Procedure, the representatives of the New Haven public schools should be cognizant of and endeavor to protect the legal rights of all parties involved. Additionally, confidentiality shall be maintained to the extent consistent with the Board's obligations under law and its obligations to investigate.

This Complaint Procedure is not exclusive and complainants may have additional legal rights, including the right to file charges with the Connecticut Commission on Human Rights and Opportunities, the Equal Employment Opportunity Commission and/or United States Department of Education.

In response to incidents of sexual harassment, the Superintendent of Schools, in her/his discretion, may take any of the following actions:

- reprimand or warning;
- reassignment;
- transfer;
- suspension or recommendation of suspension to the Board;
- demotion or recommendation of demotion to the Board;
- expulsion (student) in accordance with applicable law; or
- recommendation to the Board of termination of employment;
- termination of contract.

## **Students**

### **Sexual Harassment**

#### **Formal Process (continued)**

All employees, students and parents shall be provided with copies of this policy concerning sexual harassment, through individual distribution or through publication in employee and student handbooks or other similar publications. Further, copies of this policy will be distributed to individuals and organizations having cooperative agreements with the New Haven Public School System, including, but not limited to, non-employees such as vendors, independent contractors and volunteers.

This procedure will be reviewed and updated periodically. Education and training sessions which define sexual harassment and explain this procedure will be offered to all supervisory employees as required by State law and shall be offered to other staff members and students as deemed advisable by the Board of Education.

Nothing in this policy shall be deemed to override inconsistent but applicable provisions of any collective bargaining agreement between the Board and a collective bargaining representative of its employees.

State and Federal law also prohibits harassment of employees on the basis of their race, color, religious creed, age, marital status, national origin, ancestry, present or past history of mental disorder, mental retardation, learning disability or physical disability, including, but not limited to, blindness, or their sexual orientation. This policy's emphasis on sexual harassment should not be construed as implying that these other forms of harassment are less important than harassment on the basis of sex. No form of harassment will be tolerated in the New Haven public schools.

Copies of this regulation will be distributed to all elementary, middle and high school 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.

Regulation approved: August 14, 1995

**NEW HAVEN PUBLIC SCHOOLS**  
New Haven, Connecticut

**SEXUAL HARASSMENT FORMAL COMPLAINT FORM**

Name and position of complainant: \_\_\_\_\_

Date of complaint: \_\_\_\_\_

Name of alleged sexual harasser: \_\_\_\_\_

Date and place of incident: \_\_\_\_\_

\_\_\_\_\_

Description of misconduct: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name of witnesses(if any): \_\_\_\_\_

\_\_\_\_\_

Has the incident been reported before? \_\_\_\_\_

If yes, when? \_\_\_\_\_

To whom was it reported? \_\_\_\_\_

What was the resolution? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reasons for dissatisfaction: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SEXUAL HARASSMENT COMPLAINT - APPEAL FORM**

Name and position of complainant: \_\_\_\_\_

Date of appeal: \_\_\_\_\_

Date of original complaint: \_\_\_\_\_

Have there been any prior appeals? \_\_\_\_\_

If yes, when? \_\_\_\_\_

To whom? \_\_\_\_\_

Description of decision being appealed: \_\_\_\_\_

Why is the decision being appealed? \_\_\_\_\_

## **Students**

### **Student Complaints, Grievance and Petitions**

#### **Grievances**

The prompt, informal, and confidential adjustment and settlement of student grievances is encouraged and, perhaps, can be resolved within the respective school context. The following procedures to accomplish these purposes is hereby established.

#### **Definition**

A grievance shall mean a complaint by a student that he/she has been treated unfairly or inequitably by any teacher or administrator in the interpretation or application of the provisions of the Board's statement on Student Rights and responsibilities.

#### **Procedure**

Any student may bring a grievance before a student grievance committee using the following procedures:

- Step 1      A student shall first discuss the problem with the school official serving as the teacher's immediate superior (i.e. department head, housemaster, assistant principal, or principal).
- Step 2      If the school principal is the subject of the complaint, or if the complaint is not satisfactorily resolved within a week at the school level, the student may appeal, in writing, to the appropriate director for a hearing, setting forth specifically the basis of the grievance.
- Step 3      The district supervisor shall convene a hearing within a reasonable time and shall decide the issue within a reasonable time of such meeting.

#### **Petitions**

Students may collect signatures on any petition they support provided they follow the school's established guidelines in not interfering with the orderly process of the school day. When such petitions relate to school matters, they may not be libelous or obscene. An acceptable petition may express legitimate criticism of school activity or governance, or request redress of actual student grievances. Student have a right to present such petitions to school officials.

**Legal Reference:** U.S.O.E. Title IX (Final Title IX Regulation Implementing Education Amendments of 1972 Prohibiting Sex Discrimination in Education, eff. date 7/21/75 20 U.S.C. @ 1681 et seq.)

**Policy adopted:** August 14, 1995

**NEW HAVEN PUBLIC SCHOOLS**  
New Haven, Connecticut



## Students

### Surrogate Parent Program

Any child considered by the School district to require 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 by the Connecticut State Department 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.

The law makes provisions 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 Appointment of surrogate parent; Procedure for objection to or extension of said appointment.

10-94h Term of surrogate parent.

10-94i Rights and liabilities of surrogate parents.

10-94j Regulations re appointment of surrogate parents.

10-94k Funding of surrogate program.

Policy adopted: August 14, 1995  
Revised: January 27, 1997

NEW HAVEN PUBLIC SCHOOLS  
New Haven, Connecticut