

Madison Public Schools Policy Committee Meeting

Tuesday, December 20, 2022 3:30 PM

Zoom only, 10 Campus Drive, Madison, CT 06443

I. Policies Proposed for Rescission

I.A. #5080.3 Request for Late Arrival, Early Dismissal, or Release of Student for Part of the School Day

I.B. #5090.3 General Rules of Student Conduct

I.C. #5090.3.4 Out of School Misconduct

I.D. #5090.5 Secret Societies/Gang Activity

I.E. #5090.10 Prohibited Use of Laser Pointers

I.F. #5090.11 Concerns/Issues Procedures

I.G. #5090.13 Married and/or Pregnant

I.H. #5100.3 Public Performances

I.I. #5100.6 Student Activity Funds/Donations

I.J. #5120 Student Welfare/Safety

I.K. #5120.3.1 Communicable and Infectious Diseases

I.L. #5120.3.2 HIV Infection

II. Policies for Review

II.A. #2240 Retention of Electronic Records and Information

II.B. #4119 Reports of Suspected Abuse or neglect of Children or Reports of Sexual Assault of Students by School Employees

II.C. #5113 Student Attendance, Truancy and Chronic Absenteeism

II.D. #5120.3 Health Assessment/Screenings and Oral Health Assessment

III. Public Comment

IV. The Town of Madison does not discriminate on the basis of disability, and the meeting facilities are ADA accessible. Individuals who need assistance are invited to make their needs known by contacting the Town ADA/Human Resources Director, Debra Ferrante, at 203-245-6310 or by email at ferranted@madisonct.org at least five (5) business days prior to the meeting.

#5080.3**Request for Late Arrival, Early Dismissal, Or Release of Student
for Part of the School Day**

A request for late arrival, early dismissal or release of a student for part of the school day which originates outside the schools must be handled by the administration to ensure maximum provisions for the safety and welfare of the student. Late arrival, early dismissal, or release of student for a part of the school day, should be requested only in emergency or unusual situations.

Parents requesting entrance after the beginning of the school day or dismissal before the normal end of the school day or release of the student for part of the school day must make a written request in advance to the building administrator and follow individual school procedures. If not known in advance, the parent or guardian shall make the request in writing on that date and receive permission from the principal for the student to enter class or to leave early. Discretion shall be used by the principal to ensure the student's access to the educational program.

Students will not be authorized to arrive late, to be dismissed early, or to be excused from any part of the regular school day for the purpose of taking regularly scheduled private lessons of any kind or for activities of a recurring nature.

Released Time Provision Applicable to High School Students

The school day for all high school students will begin with the first period regular class and end with the last period regular class. Exceptions will apply only for:

- students in an approved work-study program who must proceed to work earlier in the day or remain at work later in the day, and
- students who elect to take additional classes or credits and can provide their own transportation.

Date of Adoption: 6/6/95

#5090.3**General Rules of Student Conduct**

The goal of the district will be to ensure that the optimum learning atmosphere of the classroom and the educational process is maintained. District policy and general rules of conduct for students are applicable for all district schools to ensure the rights and welfare of all students, and are designed to prevent the disruptive few from interfering with the education of all. When students violate rules, the school administrators will take appropriate action. Students not under the authority of a parent or guardian will assume full responsibility for their own behavior.

General rules of student conduct, responsibilities and rights, as published in the student handbook, will be made available annually to students and parents of the district.

The principal has the overall responsibility to direct the staff within his or her school to guide and counsel individuals and groups within each school. In order to assist the principal in carrying out this responsibility, the principal and building staff will confer on a regular basis to develop and / or review building disciplinary standards and uniform enforcement of those standards. The staff is responsible for maintaining proper order and discipline and uniform enforcement of established standards.

The staff has discretionary powers to use its best judgment, within existing policies, in deciding what is necessary to establish or maintain proper student conduct.

Such discretionary power will include the right of the staff to exclude any student who creates a disruption of the educational process from the classroom or activity area.

A balance of concern should exist for the individual, the welfare of the group and the institution. The staff will be responsible for working cooperatively toward consistent enforcement of acceptable student behavior throughout each school as well as within each classroom.

Date of Adoption: 6/20/95

**#5090.3.4
Out of School Misconduct**

Students are subject to discipline, up to and including suspension and expulsion for misconduct, which is seriously disruptive of the educational process and is a violation of a publicized board policy, even if such misconduct occurs off-school property and during non-school time.

In making a determination as to whether conduct is "seriously disruptive of the educational process," the administration may consider, but such consideration shall not be limited to (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence or the unlawful use of a weapon, as defined in section 29-38 and whether any injuries occurred; and (4) whether the conduct involved the use of alcohol and / or drugs. The Board of Education or impartial hearing board, in matters of expulsion for out of school misconduct, in making a determination as to whether conduct is "seriously disruptive of the educational process," may consider, but consideration is not limited to the same items listed previously.

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;
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; (as defined C.G.S. 53a-3, 53-206, and 29-35)
2. Use, possession, sale, or distribution of 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.

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.

A student found to be in possession of a firearm or deadly weapon shall be expelled for one calendar year unless said expulsion is modified on an individual case basis.

Legal Reference: Connecticut General Statutes
4-176e through 4-185 Uniform Administrative Procedure Act.
10-233a through 10-233f re in-school suspension, suspension, expulsion. (as amended by PA 98-139)
29-35 Carrying of pistol or revolver without permit prohibited.
29-38 Weapons in vehicles.
53a-3 Firearms and deadly weapons.
53-206 Carrying and sale of dangerous weapons.
53a-217b Possession of firearms and deadly weapons on school grounds.
PA 94-221 An Act Concerning School Safety.
18 U.S.C. 921 Definitions.
PL 103-382 Elementary and Secondary Education Act. (Sec. 14601 -Gun Free Requirements: Gun Free School Act of 1994)
PA 95-304 An Act Concerning School Safety.
PA 96-244 An Act Concerning Revisions to the Education Statutes.
Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.

Date of Adoption: October 20, 1998

#5090.5**Secret Societies / Gang Activity**

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 type of dress, apparel, activities, acts, behavior or manner of grooming displayed, reflected or participated in by the student(s) may lead school officials to reasonably believe that such behavior, apparel, activities, acts or other attributes would disrupt or interfere with the school environment or activity and / or education objectives.

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.

Individual, gang or group activities which intimidate or affect the attendance of another student shall be subject to disciplinary action.

The Superintendent will establish procedures and regulations to ensure that any student, gang or group who cause or participate in activities which intimidate or affect the attendance of any student shall be subject to disciplinary action.

Date of Adoption: 6/6/95

#5090.10

Prohibited Use of Laser Pointers

Students will not possess or use a laser pointer while on school property or while attending a school-sponsored activity on or off school property, unless under the supervision of a staff member and in the context of instruction.

A person who discovers a student in possession of a laser pointer in violation of this policy will report the violation to the principal, who will order an appropriate school employee to confiscate the device.

(cf 5120: Madison Public Schools – Student Welfare / Safety)

Date of Adoption: December 15, 1998

#5090.11

Concerns / Issues Procedures

Student concerns and issues shall be addressed through a decision-making / problem-solving model to be implemented in each school, except for schools serving students in grades pre-kindergarten through grade two.

Legal Reference: U.S.O.E. Title IX (Final Title IX Regulation Implementing Education Amendments of 1972 Prohibiting Sex Discrimination in Education, U.S.C. @ 1681 et seq.)

Date of Adoption: March 5, 1996

#5090.13
Married and / or Pregnant

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

A pregnant student may remain in her regular school program as long as her medical / physical condition permits, as determined by a physician. Any variation from a pregnant student's continuance in regular classes shall be based upon her specific needs. 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 to do so.

Students with children have the same educational opportunities as unmarried and childless students.

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.

Date of Adoption: March 5, 1996

#5100.3
Public Performances

School clubs and / or organizations are encouraged to arrange for individual student and group public performances when such performances reinforce educational objectives and when they do not interfere with other scheduled activities or classes within the school day.

Specific guidelines for such public performances are as follows:

- All public performances involving students will be approved by the building principal.
- The extended use of one particular performance group will be discouraged to avoid extensive absences.
- Students participating in a public performance will conduct themselves in a way as to bring credit to their school.
- Public performances that are scheduled outside school hours are preferred. Performances during school hours should be limited to the class period during which the activity is usually taught to that particular student or students.
- Students will not be paid for participating or performing when they represent the school.

Date of Adoption: February 27, 1996

#5100.6**Student Activities Funds/Donations**

Student activity funds are those funds raised or collected by and/or for school approved student groups and gate receipts. Student activity funds will be collected and expended for the purpose of supporting the school's co-curricular and extracurricular activities program.

Monies raised by students through student body organizations, receipts from activity tickets and gate receipts, are subject to review by the Board of Education. Each school in the district that has student activity funds is to designate a bookkeeper. The bookkeeper may be: (1) an assistant principal, (2) the principal, or (3) the head secretary.

- The principal of each school is responsible for all school/student accounts. The principal will assign one, or more, school staff member(s) who has been designated to share the responsibility for assuring that accounting records are maintained in accordance with district guidelines.
- The principal is the primary advisor to the student body. The principal will be responsible for designating advisors to the various student subgroup organizations affiliated with fundraising.
- The principal will be responsible for supervising the accounting functions to be performed at the building level. The building level accounting procedures will be consistent with the accounting functions performed at the district office level.
- Schools may establish bank and savings accounts in institutions that have been designated as depositories of school district funds by the Board of Education.
- Materials and equipment purchased by student activity funds/donations become district property.

5100.6 (Continued)

- Projects for raising student activity funds should in general contribute to the educational experience of students and should not conflict with, but add to the instructional program and comply with district guidelines.
- Donations must be accepted under the provisions of Policy #3280.
- The Superintendent, or his/her designee, may request all necessary financial information needed for review or required by the Board of Education.

Date of Adoption: January 23, 1996

#5120**Student Welfare/Safety**

The Board shall strive to build safe, supportive, and academically challenging school learning environments in partnership with students, staff members, and families.

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

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

1. Maintenance of safe school environments through conducting regular safety and hazard assessments of all school facilities, school grounds, sports-related equipment and vehicles used to transport students.
2. Safe practices by school personnel and students – particularly in instructional areas or in extracurricular activities presenting special hazards.
3. Development of school programs and activities consistent with appropriate abilities and limitations of students at each age level.
4. Offering safety education to students germane to particular subjects, such as laboratory courses in science, industrial arts, and health and physical education.
5. Appropriate first aid care for students in case of accident or sudden illness.
6. Adequacy of emergency response procedures at each school in the District (first aid, cardiopulmonary resuscitation, infection control security).
7. Development, adoption and implementation of a code of conduct and other appropriate rules that are designed to promote health and safety and prevent unintended injury, harassment, bullying and other forms of violence. Such code shall prohibit the use and possession of alcohol, tobacco and other drugs and weapons and dangerous instruments at school.
8. Training exercises for all school staff designed to help them maintain a positive climate for learning and to effectively enforce safety and discipline rules.
9. Requiring the District and its individual schools to have safety plans which serve as a guide to address the various safety needs in the school, such as lockdown procedures, evacuations, drills and safety protocols, and personnel assignments.
10. Conducting regular audits (at least annually) to evaluate and analyze the effectiveness of each school's safety and security plans. First responders, local law enforcement and the entire school community shall be involved in this process.
11. Communicating with parents/guardians and community members about school-level emergency preparedness protocols to the greatest extent possible.

#5120 (cont.)

12. Providing regular training for all school employees on the Districts' school emergency management systems and protocols.

13. Creating a partnership between schools, local law enforcement and appropriate community agencies, including mental health, to prevent and reduce school violence.

(c.f. 0100 / 6100 Our Mission)

(c.f. 5090.1.4 Student Misconduct in Schools)

(c.f. 5090.3 General Rules of Student Conduct)

(c.f. 5090.3.6.1.1 Bullying)

(c.f. 5090.7 Drugs, Alcohol, Tobacco, Inhalants, and Performance-Enhancing Substances)

(c.f. 5090.8 Weapons and Dangerous Instruments)

(c.f. 5110 Student Discipline)

(c.f. 5120.3 Health Services)

(c.f. 5120.3.1 Communicable and Infectious Diseases)

(c.f. 5120.3.3 Administering Medications)

(c.f. 5120.3.5 Automatic External Defibrillators)

(c.f. 5120.4.2.1 Suicide Prevention)

(c.f. 5120.4.2.5 Child Abuse)

(c.f. 5190 Crisis Response)

(c.f. 6080.14.2 Family Life Education)

(c.f. 6114.1 Fire Drills / Crisis Response Drills)

Legal Reference: Connecticut General Statutes
 10-220 Safety Committee

Date of Adoption: December 5, 1995

Date of Revision: October 7, 2014

#5120.3.1**Communicable and Infectious Diseases**

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

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

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

Legal Reference: "Education for Children with Disabilities", 20 U.S.C. 1400, et seq.
Section 505 of the Rehabilitation Act of 1973, 29 U.S.C. 706 (7) (b)
"Americans with Disabilities Act"
The Family Educational Rights and Privacy Act of 1974, (FERPA), 20 U.S.C. 1232g,
45 C.F.R. 99
Connecticut General Statutes
10-76(d) (15) Duties and powers of boards of education to provide special education

programs and services.

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

10-207 Duties of medical advisors

10-209 Records not be public

10-210 Quarantine of certain persons

19a-581-585 AIDS testing and medical information

Date of Adoption: April 2, 1996

**#5120.3.2
HIV Infection**

Philosophy

The District shall strive to protect the safety and health of children and youth in our care, as well as their families and the general public, and are committed to maintaining a safe and healthy environment for employees. Staff members shall cooperate with public health authorities to promote these goals.

The evidence is overwhelming that the risk of transmitting human immunodeficiency virus (HIV) is extremely low in school settings when current guidelines are followed. The presence of a person living with HIV infection or diagnosed with acquired immunodeficiency syndrome (AIDS) poses no significant risk to others in school, day care, and school athletic settings.

School Attendance

A student with HIV infection has the same right to attend school and receive services as any other student, and will be subject to the same rules and policies. HIV infection shall not factor into decisions concerning class assignments, privileges, or participation in most school sponsored activities.

The school principal will determine the educational placement of a student known to be infected with HIV on a case-by-case basis by following the established policies and procedures for students with chronic health problems or students with disabilities. The principal must consult with the student's physician and parent or guardian, respect the student's and family's privacy rights, and reassess the placement if there is a change in the student's need for accommodations or services.

School staff members will always strive to maintain a respectful school climate and not allow physical or verbal harassment of any individual or group by another individual or group. This includes taunts directed against a person living with HIV infection, a person perceived as having HIV infection, or a person associated with someone with HIV infection.

Confidentiality

Students are not required to disclose HIV infection status to anyone in the district. HIV antibody testing is not required for an), school-related purpose.

Every employee has a duty to treat as highly confidential any knowledge or speculation concerning the HIV status of a student. Violation of medical privacy is cause for disciplinary action, criminal prosecution, and/or personal liability for a civil suit.

5120.3.2 (continued)

No information regarding a student's HIV status will be divulged to any individual or organization without a court order or the informed, written, signed, and dated consent of the student with HIV infection (or the parent or guardian of a legal minor). The written consent must specify the name of the recipient of the information and the purpose for disclosure.

All health records, notes, and other documents that reference a student's HIV status will be kept confidential. Access to these confidential records is limited to those named in written permission from the person (or parent or guardian) and to emergency medical personnel. Information regarding HIV status will not be added to a student's permanent educational or health record without written consent.

School Environment Infection Control

Schools will operate according to the standards promulgated by the U.S. Occupational Health and Safety Administration for the prevention of blood-borne infections. All employees are required to consistently follow infection control guidelines in all settings and at all times, including playgrounds and school buses. Equipment and supplies needed to apply the infection control guidelines will be maintained and kept reasonably accessible.

The Director of Special Educational and Regional Programs shall oversee implementation of the precautions and investigate, correct, and report on instances of lapse in practice.

A school staff member is expected to alert the person responsible for health and safety issues, or the school nurse, if a student's health condition or behavior presents a reasonable risk of transmitting an infection.

If a situation occurs at school in which a person could have been exposed to an infectious agent, such as an instance of blood-to-blood contact, school authorities shall counsel that person (or, if a minor, alert a parent or guardian) to seek appropriate medical evaluation.

HIV and Athletics

The privilege of participating in physical education classes, athletic programs, competitive sports, and recess may or may not be conditional on a student's HIV status. School authorities will make reasonable accommodations to allow students living with HIV infection to participate in school-sponsored physical activities.

All employees must consistently adhere to infection control guidelines in locker rooms and all play and athletic settings. Student handbooks will reflect these guidelines. First aid kits must be on hand at every athletic event.

All physical education teachers and athletic program staff must complete an approved first aid and injury prevention course that includes implementation of infection control guidelines.

5120.3.2 (continued)

Student orientation about safety on the playing field will include guidelines for avoiding HIV infection.

HIV Prevention Education

The goals of HIV prevention education are to promote healthful living, and discourage the behaviors that put people at risk of acquiring HIV. The educational program will:

- be taught in all grades, kindergarten through grade twelve;
- use methods demonstrated by sound research to be effective;
- follow content guidelines prepared by the Centers for Disease Control and Prevention;
- be appropriate to students' developmental levels, current behaviors, and cultural backgrounds;
- build knowledge and skills from year to year;
- stress the benefits of abstinence from sexual activity and intravenous drug use;
- include accurate information on reducing the risk of HIV infection;
- address students' own concerns;
- include means for evaluation;
- be integrated within an overall school health program;
- be taught by well-prepared instructors with adequate support; and
- involve parents and families as partners in education.

Parents and guardians will have convenient opportunities to preview all HIV prevention curricula and materials. School staff members shall assist parents or guardians who ask for help in discussing HIV infection with their children. If a parent or guardian submits a written request to a principal that a child not receive instruction in specific HIV prevention topics at school, and assures that the topics will be discussed at home or elsewhere, the child shall be excused without penalty.

The school district will endeavor to cooperate with HIV prevention efforts in the community that address youth in situations that put them at high risk of acquiring HIV.

Related Services

Students who are HIV infected or who have an immediate family member or close friend who is HIV infected will have access to voluntary, confidential counseling services that are age and developmentally appropriate. School administrators will maintain confidential linkage and referral mechanisms to facilitate voluntary student access to appropriate HIV counseling and testing programs and to other HIV-related services as needed. Public information about resources in the community will be kept available for voluntary student use.

5120.3.2 (continued)

General Provisions

On an annual basis, school administrators will notify students, their family members, and school personnel about current policies concerning HIV infection, and invite public input and discussion.

In accordance with the established policy review process, or at least every three years, the Superintendent shall report on the accuracy, relevance, and effectiveness of this policy and, when appropriate, provide recommendations for improving and/or updating the policy.

Date of Adoption: June 4, 1996

**Retention of Electronic Records and Information
(formerly Education Data / Records Retention)**

The Madison Board of Education (the “Board”) complies with all state and federal laws and regulations regarding the retention, storage and destruction of electronic information and records. The Superintendent or designee shall be responsible for developing and implementing administrative regulations concerning the retention, storage, and destruction of electronic information and the dissemination of such administrative regulations to all school officials, employees, and individuals granted access to the computer systems and/or networks of the Madison Public Schools (the “District”) and/or who send electronic messages as part of their work for the District. Collectively, all individuals granted access to the District’s computer systems are referred to as the “Users”.

Use of ~~E-Mail~~ Electronic Messages and Electronic Communications

The Board ~~provides~~ has installed computers, ~~and a~~ computer network(s), including Internet access and ~~an e-mail system, as well as any~~ electronic messaging systems, on Board premises and may provide other electronic devices that can have the ability to send and receive messages with an operating system or network communication framework. ~~access the networks such as wireless and/or portable electronic hand-held equipment that can be used for word processing, wireless Internet access, image capture and recording, sound recording, information transmitting and/or receiving, storing, etc. (including but not limited to~~ Devices include but are not limited to personal ~~laptops~~ computing devices, cellular phones, Smartphones, network access devices, Kindles, Nooks, cellular telephones, radios, personal cassette players, Walkman, CD players, iPads or other tablet computers, tablets, walkie-talkies, Blackberries, personal gaming systems, Bluetooth speakers, personal data assistants, iPhones, Androids and other electronic signaling devices. Electronic messaging systems include mobile, chat, and instant message; cloud collaboration platforms, including internal chat, peer-to-peer messaging systems, and draft email message transfer; and products that have the ability to create duration-based or subjective removal of content, such as Snapchat, and security focused platforms, such as Signal. The Board’s computers, computer networks, electronic devices, Internet access and electronic

33 [messaging systems are collectively referred to](#)), ~~(referred to collectively~~ as "the computer
34 systems"), [and are provided](#) in order to enhance both the educational opportunities for our
35 students and the business operations of the district.

36
37 Electronic messages sent by users as part of their work and/or by using the district's computer
38 systems and/or network(s) are not private communications and are potentially subject to
39 disclosure, [regardless of whether the messages are sent using personal devices or the District's](#)
40 [computer systems](#). Users must understand that the Board has reserved the right to conduct
41 monitoring of ~~these the District's~~ computer systems and may do so *despite* the assignment to
42 individual users of passwords for system security. Any password systems implemented by the
43 District are designed solely to provide system security from unauthorized users, not to provide
44 privacy to the individual system user.

45
46 *The system's security aspects, message delete function and [personal passwords](#) may be [bypassed](#)*
47 *for monitoring purposes. Therefore, [users must be aware that they should not have any](#)*
48 *[expectation of personal privacy in the use of these computer systems](#). This provision applies to*
49 *any and all uses of the District's computer systems, including any incidental personal use*
50 *permitted in accordance with the Board's policy and regulations regarding computer use by users.*

51
52 Any retained messages may be retrieved as part of routine monitoring by the Board, an employee
53 investigation, [a search for documents pursuant to a Freedom of Information Act request](#), or a
54 formal discovery process as part of litigation. Users should bear in mind that ~~e-mail~~ [electronic](#)
55 messages may be retained at different locations within the computer network and that these
56 messages are subject to retrieval, [regardless of whether the User has deleted such messages from](#)
57 [User's account](#).. Consequently, users should use discretion when using computers or other
58 electronic technology to send, record or retain electronic ~~communications~~ [messages](#) and
59 information.

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61

62 **Retention of Electronically Stored Information**

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64 ~~Electronic communications~~ Electronically stored information on District computers or electronic
65 communication systems shall be retained only as long as necessary. The same record retention
66 policy that applies to paper records applies to electronically stored information, including ~~e-mail~~
67 ~~communications~~. Electronic messages. Therefore, like paper records, the content and function of
68 an electronic record, including ~~e-mail communications~~ electronic messages, determines the
69 retention period for that document. The District will comply with all of the minimum standards
70 set forth in the Municipal Records Retention Schedules, as issued by the Office of the Public
71 Records Administrator for the State of Connecticut.

72

73 In addition to the retention guidelines established by the Board and used by ~~school-district~~
74 District officials and employees, all ~~school-~~ District officials and employees have a duty to
75 preserve all records and electronic information, including records and electronic information that
76 might otherwise be deleted or destroyed, that relate to any matter that is currently in litigation or
77 may be anticipated to involve future litigation.

78

79 Legal References:

80

81 Conn. Gen. Stat. §§ 1-200(5); 1-211; 1-213(b)(3)

82 Conn. Gen. Stat. § 7-109

83 Conn. Gen. Stat. § 11-8 et seq.

84 General Letters 96-2 and 2009-2 of the Public Records Administrator

85 Public Records Policy 01, *Digital Imaging*, of the Public Records Administrator

86 (Aug. 2014)

87 Record Retention Schedules Towns, Municipalities and Boards of Education

88

89 [Connecticut State Library, Office of the Public Records Administrator, Authorization for](#)
90 [Disposal of Original \(Non-Permanent\) Paper Records Stored as Digital Images, Form](#)
91 [RC-075.1 \(revised 12/2021\)](#)

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93 Frequently Asked Questions about E-mail, CT Public Records Administrator, *available at*
94 <https://ctstatelibrary.org/wp-content/uploads/2015/05/EmailGuidelines.pdf>.

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97 Date of Adoption: April 6, 2021

98 Date of Revision: October 12, 2021

Regulation #2240

Retention of Electronic Records and Information

I. Records Custodian

These regulations are designed to assist in implementation of Board Policy #2240 regarding the retention of electronic records and information. These regulations supplement and do not replace District policy relating to education records.

The Superintendent of Schools shall designate a Records Custodian who will be responsible for implementation of District policies and regulations for the retention of records, including electronic messages and electronically stored information.

II. Definitions

- A. Electronic messages include e-mail, fax, instant messaging, text messaging, and Web-based messaging services. Electronic messages may be transmitted by a variety of mediums, including computers and mobile computing devices. In addition to the body of the message, electronic messages also contain metadata, such as transactional information (*e.g.*, date and time sent, sender/receiver) and may contain attachments such as calendars, directories, distribution lists, sound recordings, photographs, images, word-processing documents, spreadsheets, and other electronic documents.
- B. Electronically stored information is information that is fixed in a tangible form and is stored in a medium from which it can be retrieved and examined. It can consist of writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any medium from which information can be obtained into useable form.
- C. Public records are any recorded data or information relating to the conduct of the public's business prepared, owned, used, or received by a public agency, whether such data or information is handwritten, typed, tape-recorded, videotaped, printed, photostated, photographed or recorded by any method.
- D. Digital imaging is the process of converting original records on paper or film into electronic images. The process typically requires a document scanner or digital camera, a computer and software to capture the image, and indexing of the digitized images.
- E. Transitory correspondence consists of communication that does not relate to an individual's job responsibilities or has a short term administrative value.
- F. Routine correspondence consists of any communication that is part of or relates to commonplace tasks or duties within an office and is done at regular or specified intervals.

47 **III. Classification of Electronic Messages**

48
49 The same record retention policy that applies to paper records applies to electronically stored
50 information, including electronic messages. Therefore, like paper records, the content and
51 function of an electronic record, including electronic messages, determine the retention period
52 for that document. The District will comply with all of the minimum standards set forth in the
53 Municipal Records Retention Schedules, as issued by the Office of the Public Records
54 Administrator for the State of Connecticut.

55
56 Users shall use the following steps in determining whether to maintain electronic messages
57 and, if so, for how long:

58
59 Step 1: Determine whether the message is a public record or a non-record.

60
61 Step 2: If the message is a non-record, destroy at will (e.g., spam and unsolicited
62 advertisements).

63
64 Step 3: If the message is a record, determine which records series the message belongs to, for
65 example:

- 66
67 1. If the message is Transitory Correspondence, delete at will.
68
69 2. If the message is Routine Correspondence, retain for 2 years.
70
71 3. If the message is All Other Correspondence, retain for the equivalent records
72 series.

73
74 Step 4: Maintain the messages for the required retention period under the equivalent records
75 series.

76
77 **IV. Digital Imaging of Paper/Hard Copy Records**

78
79 Paper records may be digitized and maintained as electronic records; however, in doing so, the
80 District must ensure the authenticity, reliability, integrity and usability of the reformatted
81 records. If the District uses a vendor for digital imaging services, the District remains
82 responsible for ensuring compliance with this policy.

83
84 In its use of digital imaging, the District shall:

- 85
86 1. Establish and maintain a quality assurance process to ensure the creation of accurate
87 and authentic digital images and accurate indexes and production metadata.
88
89 2. Create and maintain accurate and authentic digital images in accordance with accepted
90 standards and best practices.
91
92 3. Create and maintain accurate indexes and production metadata to properly identify and
93 retrieve digital images.

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4. Store and protect digital images against file corruption, alteration, or deletion throughout the designated retention period.
5. Perform periodic backups of all digital images, associated indices, and production metadata and maintain a geographically remote offsite backup copy to enable recovery and access in the event of a wide-spread disaster or emergency.
6. Perform and certify annual tests of backup media to ensure all files have been backed up and are readable.
7. Migrate digital images, associated indexes, and production metadata to a newer media platform or file format as needed to ensure the content remains accessible.
8. Define and document the normal operations and use of the imaging technology and electronic content management system to ensure system trustworthiness.

If paper public records have been converted to digital images, the District shall retain and/or dispose of the original paper records pursuant to the following guidelines.

| | |
|-----------|---|
| Permanent | If records are required to be retained permanently or have been designated as archival, they may be digitally scanned and retained in an electronic format, but security copies of the records must be retained in a “human-readable” format, such as paper or microfilm. The Records Custodian must first verify with the Office of the Public Records Administrator for approval of the security copy storage format. |
|-----------|---|

| | |
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| Less than Permanent | These records may be transferred to a digital imaging format with disposal of the original, paper records. To dispose of the original records following their digital imaging, the Records Custodian must first obtain prior authorization from the Public Records Administrator and State Archivist (using Form RC-075.1, available from the Office of the Public Records Administrator). Following destruction of the original records, the Records Custodian must document that the paper records were destroyed lawfully. |
|------------------------|---|

To dispose of digital images once the minimum retention period has expired, the Records Custodian shall obtain prior authorization from the Public Records Administrator and State Archivist. The District must document that the digital images were destroyed lawfully under the appropriate disposition authority. The District shall follow a destruction process by which content is systematically deleted with an audit trail that is legally admissible in court. Destruction should be documented by recording the date of destruction on the form “Records Disposition Authorization” and attaching any supporting documentation, or by following the District’s process for documenting document destruction. After disposing of the records in accordance with these procedures, the Records Custodian will follow all other steps required by the Office of the Public Records Administrator.

V. Retention of Electronic Records

141 Electronic messages and electronically stored information will be archived by the District for
142 their required retention period using method(s) approved by the Records Custodian, which
143 may include the following:

- 144
- 145 1. Print message or record and store in appropriate hard copy file.
 - 146 2. Place in computer folders and save on hard drive.
 - 147 3. Save to a removable disk which is then stored in an appropriate location.
 - 148 4. Transfer to an automated records management software application.
 - 149 5. Manage at the server by an automated classification system.
- 150

151 The Records Custodian will be responsible for working with the District Systems
152 Administrator to implement a schedule and system for reviewing electronically stored
153 information. This review shall occur at least annually. No system wide process for automatic
154 deletion of electronic information will be implemented without notice to any individual who
155 may have such information and each such individual will verify that they have reviewed and
156 archived information that must be retained. Following this review, all electronic messages
157 and/or electronically stored information that have not been archived according to District
158 policies and procedures shall be designated for deletion or archiving, and the affected District
159 Users will be notified about the procedures to be followed to implement this process. The
160 Records Custodian or designee shall follow up with notified Users to ensure compliance.

161
162 Additionally, the Records Custodian, working with the District Systems Administrator, shall
163 ensure than any process for automatic deletion of electronic information from the system will
164 not delete information stored in folders and/or system locations that have been designated as
165 appropriate for archiving electronically stored information.

166
167 Legal References:

- 168
- 169 Conn. Gen. Stat. §§ 1-200(5); 1-211; 1-213(b)(3)
 - 170 Conn. Gen. Stat. § 7-109
 - 171 Conn. Gen. Stat. § 11-8 et seq.
- 172

173 General Letters 96-2 and 2009-2 of the Public Records Administrator
174 Public Records Policy 02, *Digital Imaging*, of the Public Records Administrator
175 (Aug. 2014)

176
177 Record Retention Schedules Towns, Municipalities and Boards of Education

178
179 Connecticut State Library, Office of the Public Records Administrator, Authorization
180 for Disposal of Original (Non-Permanent) Paper Records Stored as Digital Images,
181 Form RC-075.1 (revised 12/2021)

182
183 Frequently Asked Questions about E-mail, CT Public Records Administrator,
184 available at [https://ctstatelibrary.org/wp-](https://ctstatelibrary.org/wp-content/uploads/2015/05/EmailGuidelines.pdf)
185 [content/uploads/2015/05/EmailGuidelines.pdf](https://ctstatelibrary.org/wp-content/uploads/2015/05/EmailGuidelines.pdf).

**RECORDS DISPOSITION AUTHORIZATION –
TOWNS, MUNICIPALITIES, & BOARDS OF
EDUCATION**

Form RC-075 (Revised 12/2021)



STATE OF CONNECTICUT
Connecticut State Library
Office of the Public Records Administrator
231 Capitol Avenue, Hartford, CT 06106
<https://ctstatelibrary.org/publicrecords>

AUTHORITY: Connecticut towns, cities, boroughs, districts, municipalities, boards of education, and other political subdivisions of the state must use this form to obtain approval for disposition (destruction or transfer) of public records in accordance with CGS §11-8a and §7-109. All records proposed for disposition must be on an approved records retention schedule. If a record is not on a schedule, the record cannot be disposed; contact this office for further direction.

See Page 2 for instructions. Send completed form by email.

| | |
|---|-----------------------------|
| LOCAL GOVERNMENT ENTITY: | DEPARTMENT/UNIT/OFFICE: |
| RECORDS CUSTODIAN: | TITLE OF RECORDS CUSTODIAN: |
| RECORDS CUSTODIAN EMAIL ADDRESS (for return of form): | RECORDS CUSTODIAN PHONE: |

TYPE OF REQUEST – Indicate one and sign the associated certification statement below:

| | |
|-----------------------------------|--|
| <input type="radio"/> TRANSFER | I hereby certify that the records listed below are to be transferred to another entity. After approval, legal title and custody of the records listed below will be transferred to (include name and address): |
| <input type="radio"/> DESTRUCTION | I hereby certify that the records listed below have met the retention requirements as indicated on approved records retention schedules issued by the Office of the Public Records Administrator. No records listed, in my opinion, pertain to any pending case, claim, or action. If applicable, all relevant audit reports have been issued. |

| | | | |
|--------------------------|--|--------------------------------------|--------------|
| GOVERNMENT AUTHORIZATION | RECORDS CUSTODIAN (type or print): | RECORDS CUSTODIAN SIGNATURE: | DATE SIGNED: |
| | HEAD OF MUNICIPALITY (type or print): | HEAD OF MUNICIPALITY SIGNATURE: | DATE SIGNED: |
| EDUCATION AUTHORIZATION | SUPERINTENDENT OF SCHOOLS (type or print): | SUPERINTENDENT OF SCHOOLS SIGNATURE: | DATE SIGNED: |

| SCHEDULE & SERIES NUMBER (e.g. M1-080) | RECORDS SERIES TITLE | DATES OF RECORDS | | VOLUME OF RECORDS | PROPOSED DATE OF DISPOSITION |
|--|----------------------|------------------|------|-------------------|------------------------------|
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| OFFICE USE ONLY — AUTHORIZATION EXCEPTIONS: | TOTAL VOLUME OF RECORDS | Email |
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| APPROVED (Signature of State Archivist): | DATE SIGNED: | APPROVED (Signature of Public Records Administrator): | DATE SIGNED: |
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**Reports of Suspected Abuse or Neglect of Children or
Reports of Sexual Assault of Students by School Employees**

Conn. Gen. Stat. Section 17a-101 et seq. requires school employees who have reasonable cause to suspect or believe (1) that any child under eighteen has been abused or neglected, has had a nonaccidental physical injury, or injury which is at variance with the history given of such injury, or has been placed at imminent risk of serious harm, or (2) that any person who is being educated by the Technical Education and Career System or a local or regional board of education, other than as part of an adult education program, is a victim of sexual assault, and the perpetrator is a school employee, to report such suspicions to the appropriate authority. In furtherance of this statute and its purpose, it is the policy of the Madison Board of Education (“Board”) to require ALL EMPLOYEES of the Board of Education to report suspected abuse and/or neglect, nonaccidental physical injury, imminent risk of serious harm, or sexual assault of a student by a school employee, in accordance with the procedures set forth below.

1. Scope of Policy

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

2. Definitions

For the purposes of this policy:

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

#4119(b)

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

"School employee" means (a) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or who is working in a Board elementary, middle or high school; or (b) any other person who, in the performance of ~~his or her~~ that person's duties, has regular contact with students and who provides services to or on behalf of students enrolled in the Madison Public Schools ("District"), pursuant to a contract with the Board.

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

"Statutorily mandated reporter" means an individual required by Conn. Gen. Stat. Section 17a-101 et seq. to report suspected abuse and/or neglect of children or the sexual assault of a student by a school employee. The term "statutorily mandated reporter" includes all school employees, as defined above, any person who is a licensed behavior analyst, and any person who holds or is issued a coaching permit by the State Board of Education, is a coach of intramural or interscholastic athletics, and is eighteen years of age or older.

3. What Must Be Reported

- a) A report must be made when any employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or

#4119(c)

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believe that any child under the age of eighteen years:

- i) has been abused or neglected;
 - ii) has had nonaccidental physical injury, or injury which is at variance with the history given for such injury, inflicted upon ~~him/her~~ the child;
 - iii) is placed at imminent risk of serious harm; or
- b) A report must be made when any employee of the Board of Education in the ordinary course of such person’s employment or profession has reasonable cause to suspect or believe that any person, regardless of age, who is being educated by the Technical Education and Career System or a local or regional board of education, other than as part of an adult education program, is a victim of the following sexual assault crimes, and the perpetrator is a school employee:
- i) sexual assault in the first degree;
 - ii) aggravated sexual assault in the first degree;
 - iii) sexual assault in the second degree;
 - iv) sexual assault in the third degree;
 - v) sexual assault in the third degree with a firearm; or
 - vi) sexual assault in the fourth degree.

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

#4119(d)

- 97
- 98 c) The suspicion or belief of a Board employee may be based on factors including, but not
- 99 limited to, observations, allegations, facts or statements by a child or victim, as described
- 100 above, or a third party. Such suspicion or belief does not require certainty or probable
- 101 cause.
- 102

103 4. Reporting Procedures for Statutorily Mandated Reporters

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

106

- 107 a) When an employee of the Board of Education who is a statutorily mandated reporter and
- 108 who, in the ordinary course of the person's employment, has reasonable cause to suspect
- 109 or believe that a child has been abused or neglected or placed at imminent risk of serious
- 110 harm, or a student is a victim of sexual assault by a school employee, as described in
- 111 Paragraph 3, above, the following steps shall be taken.
- 112

- 113 (1) The employee shall make an oral or electronic report as soon as practicable, but not
- 114 later than twelve (12) hours after having reasonable cause to suspect or believe that a
- 115 child has been abused or neglected or placed at imminent risk of serious harm, or a
- 116 student is a victim of sexual assault by a school employee.
- 117

- 118 (a) An oral report shall be made by telephone or in person to the Commissioner of the
- 119 Department of Children and Families (“DCF”) or the local law enforcement
- 120 agency. DCF has established a 24 hour Child Abuse and Neglect Careline at 1-
- 121 800-842-2288 for the purpose of making such oral reports.
- 122

- 123 (b) An electronic report shall be made in the manner prescribed by the Commissioner
- 124 of DCF. An employee making an electronic report shall respond to further
- 125 inquiries from the Commissioner of DCF or Commissioner’s designee made
- 126 within twenty-four (24) hours. Such employee shall inform the Superintendent or
- 127 ~~his/her~~ Superintendent’s designee as
- 128

#4119(e)

soon as possible as to the nature of the further communication with the Commissioner or Commissioner's designee.

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

(3) In cases involving suspected or believed abuse, neglect, or sexual assault of a student by a school employee, the Superintendent or ~~his/her~~ Superintendent's designee shall immediately notify the child's parent or guardian that such a report has been made.

(4) Not later than forty-eight (48) hours after making an oral report, the employee shall submit a written or electronic report to the Commissioner of DCF or the Commissioner's designee containing all of the required information. The written or electronic report should be submitted in the manner prescribed by the Commissioner of DCF. When such report is submitted electronically, the employee shall respond to further inquiries from the Commissioner of DCF or Commissioner's designee made within twenty-four (24) hours. Such employee shall inform the Superintendent or ~~his/her~~ Superintendent's designee as soon as possible as to the nature of the further communication with the Commissioner or Commissioner's designee.

(5) The employee shall immediately submit a copy of the written or electronic report to the Building Principal or ~~his/her~~ Building Principal's designee and to the Superintendent or the Superintendent's designee.

(6) If the report concerns suspected abuse, neglect, or sexual assault of a student by a school employee holding a certificate, authorization or permit issued by the State Department of Education, the Commissioner of DCF (or ~~his/her~~ Commissioner of

160 DCF's designee) shall submit a copy of the written or electronic report to the
161 Commissioner of Education (or Commissioner of Education's his/her designee).

162

163 5. Reporting Procedures for Employees Other Than Statutorily Mandated Reporters

164

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

167

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

173

174 (1) The employee shall make an oral report as soon as practicable, but not later than
175 twelve (12) hours after the employee has reasonable cause to suspect or believe that a
176 child has been abused or neglected or placed at imminent risk of serious harm or a
177 student is a victim of sexual assault by a school employee. Such oral report shall be
178 made by telephone or in person to the Superintendent of Schools or his/her
179 Superintendent's designee, to be followed by an immediate written report to the
180 Superintendent or his/her Superintendent's designee.

181

182 (2) If the Superintendent or his/her Superintendent's designee determines that there is
183 reasonable cause to suspect or believe that a child has been abused or neglected or
184 placed at imminent risk of serious harm or a student is a victim of sexual assault by a
185 school employee, he/she the Superintendent shall cause reports to be made in
186 accordance with the procedures set forth for statutorily mandated reporters.

187

188 b) Nothing in this policy shall be construed to preclude an employee reporting suspected
189 child abuse, neglect or sexual assault by a school employee from reporting the same
190 directly to the Commissioner of DCF.

191 6. Contents of Reports

192

193 Any report made pursuant to this policy shall contain the following information, if known:

194

195 a) The names and addresses of the child* and ~~his/her~~ the child's parents or other person
196 responsible for ~~his/her~~ the child's care;

197

198 b) the age of the child;

199

200 c) the gender of the child;

201

202 d) the nature and extent of the child's injury or injuries, maltreatment or neglect;

203

204 e) the approximate date and time the injury or injuries, maltreatment or neglect occurred;

205

206 f) information concerning any previous injury or injuries to, or maltreatment or neglect of
207 the child or ~~his/her~~ the child's siblings;

208

209 g) the circumstances in which the injury or injuries, maltreatment or neglect came to be
210 known to the reporter;

211

212 h) the name of the person or persons suspected to be responsible for causing such injury or
213 injuries, maltreatment or neglect;

214

215 i) the reasons such person or persons are suspected of causing such injury or injuries,
216 maltreatment or neglect;

217

218 j) any information concerning any prior cases in which such person or persons have been
219 suspected of causing an injury, maltreatment or neglect of a child; and

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221 k) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

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*For purposes of this Paragraph, the term “child” includes any victim of sexual assault by a school employee, as described in Paragraph 3, above.

7. Investigation of the Report

- a) The Superintendent or ~~his/her~~ Superintendent’s designee shall thoroughly investigate reports of suspected abuse, neglect or sexual assault if/when such report involves an employee of the Board of Education or other individual under the control of the Board, provided the procedures in subparagraph (b), below are followed. In all other cases, DCF shall be responsible for conducting the investigation with the cooperation and collaboration of the Board, as appropriate.

- b) Recognizing that DCF is the lead agency for the investigation of child abuse and neglect reports and reports of a student’s sexual assault by school employees, the Superintendent's investigation shall permit and give priority to any investigation conducted by the Commissioner of DCF or the appropriate local law enforcement agency. The Superintendent shall conduct the District’s investigation and take any disciplinary action, consistent with state law, upon notice from the Commissioner of DCF or the appropriate local law enforcement agency that the District’s investigation will not interfere with the investigation of the Commissioner of DCF or the local law enforcement agency.

- c) The Superintendent shall coordinate investigatory activities in order to minimize the number of interviews of any child or student victim of sexual assault and share information with other persons authorized to conduct an investigation of child abuse or neglect, as appropriate.

- d) Any person reporting child abuse or neglect or the sexual assault of a student by a school employee, or having any information relevant to alleged abuse or neglect or of the sexual assault of a student by a school employee, shall provide the Superintendent with all

253 information related to the investigation that is in the possession or control of such person,
254 except as expressly prohibited by state or federal law.

- 255
- 256 e) When the school district is conducting an investigation involving suspected abuse or
257 neglect or sexual assault of a student by an employee of the Board or other individual
258 under the control of the Board, the Superintendent’s investigation shall include an
259 opportunity for the individual suspected of abuse, neglect or sexual assault to be heard
260 with respect to the allegations contained within the report. During the course of such
261 investigation, the Superintendent may suspend a Board employee with pay or may place
262 the employee on administrative leave with pay, pending the outcome of the investigation.
263 If the individual is one who provides services to or on behalf of students enrolled in the
264 District, pursuant to a contract with the Board of Education, the Superintendent may
265 suspend the provision of such services, and direct the individual to refrain from any
266 contact with students enrolled in the District, pending the outcome of the investigation.

267

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

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- 270 a) If, upon completion of the investigation by the Commissioner of DCF (“Commissioner”),
271 the Superintendent has received a report from the Commissioner that ~~he or she~~ the
272 Commissioner has reasonable cause to believe that (1) a child has been abused or
273 neglected by a school employee, as defined above, and the Commissioner has
274 recommended that such employee be placed on the DCF Child Abuse and Neglect
275 Registry, or (2) a student is a victim of sexual assault by a school employee, the
276 Superintendent shall request (and the law provides) that DCF notify the Superintendent
277 not later than five (5) working days after such finding, and provide the Superintendent
278 with records, whether or not created by DCF, concerning such investigation. The
279 Superintendent shall suspend such school employee. Such suspension shall be with pay
280 and shall not result in the diminution or termination of benefits to such employee.

- 281
- 282 b) Not later than seventy-two (72) hours after such suspension, the Superintendent shall
283 notify the Board of Education and the Commissioner of Education, or the Commissioner

284 of Education's representative, of the reasons for and the conditions of the suspension. The
285 Superintendent shall disclose such records to the Commissioner of Education and the
286 Board of Education or its attorney for purposes of review of employment status or the
287 status of such employee's certificate, permit or authorization, if any.

288

289 c) The suspension of a school employee employed in a position requiring a certificate shall
290 remain in effect until the Superintendent and/or Board of Education acts pursuant to the
291 provisions of Conn. Gen. Stat. §10-151. If the contract of employment of such certified
292 school employee is terminated, or such certified school employee resigns such
293 employment, the Superintendent shall notify the Commissioner of Education, or the
294 Commissioner of Education's representative, within seventy-two (72) hours after such
295 termination or resignation.

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297 d) The suspension of a school employee employed in a position requiring an authorization or
298 permit shall remain in effect until the Superintendent and/or Board of Education acts
299 pursuant to any applicable termination provisions. If the contract of employment of a
300 school employee holding an authorization or permit from the State Department of
301 Education is terminated, or such school employee resigns such employment, the
302 Superintendent shall notify the Commissioner of Education, or the Commissioner of
303 Education's representative, within seventy-two (72) hours after such termination or
304 resignation.

305

306 e) Regardless of the outcome of any investigation by the Commissioner of DCF and/or the
307 police, the Superintendent and/or the Board, as appropriate, may take disciplinary action,
308 up to and including termination of employment, in accordance with the provisions of any
309 applicable statute, if the Superintendent's investigation produces evidence that a child has
310 been abused or neglected by a school employee or that a student has been a victim of
311 sexual assault by a school employee.

312

313 f) The District shall not employ a person whose employment contract is terminated or who
314 resigned from employment following a suspension pursuant to Paragraph 8(a) of this

315 policy and Conn. Gen. Stat. § 17a-101i, if such person is convicted of a crime involving
316 an act of child abuse or neglect or an act of sexual assault of a student, as described in
317 Paragraph 2 of this policy.

318

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

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

328

329 10. Delegation of Authority by Superintendent

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

333

334 11. Confidential Rapid Response Team

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336 The Superintendent shall establish a confidential rapid response team to coordinate with DCF
337 to (1) ensure prompt reporting of suspected abuse or neglect or sexual assault of a student by
338 a school employee, as described in Paragraph 2, above, and (2) provide immediate access to
339 information and individuals relevant to the department's investigation. The confidential
340 rapid response team shall consist of a teacher and the Superintendent, a local police officer
341 and any other person the Board of Education, acting through its Superintendent, deems
342 appropriate.

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345 12. Disciplinary Action for Failure to Follow Policy

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347 Except as provided in Section 14 below, any employee who fails to comply with the
348 requirements of this policy shall be subject to discipline, up to and including termination of
349 employment.

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

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357 14. Non-Discrimination Policy/Prohibition Against Retaliation

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

369

370 15. Distribution of Policy, ~~Guidelines~~ and Posting of Careline Information

371

372 This policy shall ~~annual~~ be distributed ~~electronically annually~~ to all school employees
373 employed by the Board. The Board shall document that all such school employees have
374 received this written policy and completed the training and refresher training programs

375 required by in Section 16, below. Guidelines regarding identifying and reporting child sexual
376 abuse developed by the Governor’s task force on justice for abused children shall annually be
377 distributed electronically to all school employees, Board members, and the parents or
378 guardians of students enrolled in the schools under the jurisdiction of the Board. The Board
379 shall post the Internet web site address and telephone number for the DCF Child Abuse and
380 Neglect Careline in a conspicuous location frequented by students in each school under the
381 jurisdiction of the Board.

382
383 16. Training

- 384
- 385 a) All new school employees, as defined above, shall be required to complete an educational
386 training program for the accurate and prompt identification and reporting of child abuse
387 and neglect. Such training program shall be developed and approved by the
388 Commissioner of DCF.
 - 389
 - 390 b) All school employees, as defined above, shall take a refresher training course developed
391 and approved by the Commissioner of DCF at least once every three years.
 - 392 c) The principal for each school shall annually certify to the Superintendent that each school
393 employee, as defined above, working at such school, is in compliance with the training
394 provisions in this policy and as required by state law. The Superintendent shall certify
395 such compliance to the State Board of Education.

396 Beginning July 1, 2023, all school employees, as defined above, shall complete the (1)
397 training regarding the prevention and identification of, and response to, child sexual abuse
398 and assault; (2) bystander training program; and (3) appropriate interaction with children
399 training program. Each employee must repeat these trainings at least once every three years.
400 Such trainings shall be identified or developed by DCF.

401
402 17. Records

- 403
- 404 a) The Board shall maintain in a central location all records of allegations, investigations,
405 and reports that a child has been abused or neglected by a school employee employed by
406 the Board or that a student has been a victim of sexual assault by a school employee

407 employed by the Board, as defined above, and conducted in accordance with this policy.
408 Such records shall include any reports made to DCF. The State Department of Education
409 shall have access to such records upon request.

410
411 b) Notwithstanding the provisions of Conn. Gen. Stat. §10-151c, the Board shall provide the
412 Commissioner of DCF, upon request and for the purposes of an investigation by the
413 Commissioner of DCF of suspected child abuse or neglect by a teacher employed by the
414 Board, any records maintained or kept on file by the Board. Such records shall include,
415 but not be limited to, supervisory records, reports of competence, personal character and
416 efficiency maintained in such teacher's personnel file with reference to evaluation of
417 performance as a professional employee of the Board, and records of the personal
418 misconduct of such teacher. For purposes of this section, "teacher" includes each certified
419 professional employee below the rank of superintendent employed by the Board in a
420 position requiring a certificate issued by the State Board of Education.

421

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

423

424 The Board has adopted a uniform child sexual abuse and/or sexual assault response policy
425 and reporting procedure in connection with the implementation of ~~its~~the sexual assault and
426 abuse prevention and awareness program identified or developed by DCF, as outlined in
427 Board Policy #55120.4.2.5, Child Sexual Abuse and/or Sexual Assault Response Policy and
428 Reporting Procedure. Upon receipt of any report of child sexual abuse and/or sexual assault
429 from any source, a school employee shall report such suspicion to the Safe School Climate
430 Coordinator in addition to complying with ~~his/her~~ the school employee's obligations under
431 this Policy and the law regarding mandatory reporting of abuse, neglect and sexual assault.

432

433 Beginning July 1, 2023, and annually thereafter, information regarding the sexual abuse and
434 assault awareness and prevention program identified or developed by DCF shall be
435 distributed electronically to all school employees, Board members, and the parents or
436 guardians of enrolled students.

437

#5113

**Student Attendance, Truancy and
Chronic Absenteeism
(formerly Student Attendance)**

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

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

Legal References:

Public Act No. ~~21-46~~ [22-47](#)

~~June Special Session, Public Act No. 21-2~~

~~Public Act No. 21-199~~

Connecticut General Statutes § 10-220

Connecticut General Statutes § 10-184

Connecticut General Statutes § 10-186

Connecticut General Statutes § 10-198a

Connecticut General Statutes § 10-198b

Connecticut General Statutes § 10-198c

Connecticut General Statutes § 10-198d

Connecticut General Statutes § 10-198e

[Connecticut General Statutes § 10-198f](#)

41 Guidelines for Reporting Student Attendance in the Public School Information
42 System (Connecticut State Department of Education, January 2008)
43
44 Connecticut State Board of Education Memorandum, *Definitions of Excused and*
45 *Unexcused Absences* (June 27, 2012)
46
47 Connecticut State Department of Education, *Guidelines for Implementation of the*
48 *Definitions of Excused and Unexcused Absences and Best Practices for Absence*
49 *Prevention and Intervention* (April 2013)
50
51 Connecticut State Department of Education, *Reducing Chronic Absence in*
52 *Connecticut's Schools: A Prevention and Intervention Guide for Schools and*
53 *Districts* (April 2017)
54
55 Connecticut State Department of Education Memorandum, *Youth Service Bureau*
56 *Referral for Truancy and Defiance of School Rules* (February 22, 2018)
57
58 Connecticut State Department of Education, *Youth Service Bureau Referral Guide*
59 (February 2018)
60
61 [Connecticut State Department of Education Memorandum, *Mental Health*](#)
62 [*Wellness Days* \(January 24, 2022\)](#)
63
64
65
66 Date of Adoption: October 6, 2020
67 Date Revised: April 5, 2022
68
69

Regulation #5113
Student Attendance, Truancy and
Chronic Absenteeism
(formerly Student Attendance)

1
2
3
4
5
6 **I. Attendance and Truancy**

7
8 A. Definitions for Section I

- 9
10 1. **“Absence”** - any day during which a student is not considered “in attendance” at
11 his/her assigned school, or on a school sponsored activity (e.g. field trip), for at least
12 one half of the school day.
- 13
14 2. **“Disciplinary absence”** - Any absence as a result of school or district disciplinary
15 action. Any student serving an out-of-school suspension or expulsion should be
16 considered absent. Such absence is not considered excused or unexcused for
17 attendance and truancy purposes.
- 18
19 3. **“Educational evaluation”** - for purposes of this policy, an educational evaluation is
20 an assessment of a student’s educational development, which, based upon the
21 student’s presenting characteristics, would assess (as appropriate) the following areas:
22 health, vision, hearing, social and emotional status, general intelligence, academic
23 performance, communicative status and motor abilities.
- 24
25 4. **“Excused absence”** - a student is considered excused from school if the school has
26 received written documentation describing the reason for the absence within ten (10)
27 school days of the student’s return to school, or if the child has been excluded from
28 school in accordance with section 10-210 of the Connecticut General Statutes
29 (regarding communicable diseases), and the following criteria are met:
- 30
31 a. Any absence before the student’s tenth (10th) absence is considered excused when
32 the student’s parent/guardian approves such absence and submits
33

#5113R(b)

appropriate written documentation in accordance with this regulation.

b. For the student's tenth (10th) absence and all absences thereafter, a student's absences from school are, with appropriate documentation in accordance with this regulation, considered excused only for the following reasons:

- i. student illness (verified by an appropriately licensed medical professional);
- ii. religious holidays;
- iii. mandated court appearances (documentation required);
- iv. funeral or death in the family, or other emergency beyond the control of the student's family;
- v. extraordinary educational opportunities pre-approved by the district administrators and in accordance with Connecticut State Department of Education guidance and this regulation;
- vi. lack of transportation that is normally provided by a district other than the one the student attends.

c. A student, age five (5) to eighteen (18), whose parent or legal guardian is an active duty member of the armed forces who has been called for duty, is on leave from or has immediately returned from deployment to a combat zone or combat support posting, shall be granted ten (10) days of excused absences in any school year, and, in the discretion of the administration, additional excused absences to visit such student's parent or legal guardian with respect to the parent's leave or deployment. In the case of such excused absences, the student and parent or legal guardian are responsible for obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring that such assignments are completed by the student prior to his or her return to school.

5. "In Attendance" - Any day during which a student is present at the student's assigned school, or an activity sponsored by the school, for at least half of the regular school day.

66

67 6. "Student" - a student enrolled in the Madison Public Schools (the "District").

68

69 7. "Truant" - any student five (5) to eighteen (18) years of age, inclusive, who has four
70 (4) unexcused absences from school in any one month or ten (10) unexcused absences
71 from school in any school year.

72

73 8. "Unexcused absence" - any absence from a regularly scheduled school day for at least
74 one half of the school day, which is not excused or considered a disciplinary absence.

75

76 The determination of whether an absence is excused will be made by the building
77 principal or his/her designee. Parents or other persons having control of the child may
78 appeal that decision to the Superintendent or his/her designee, whose decision shall be
79 final.

80

81 B. Mental Health Wellness Days

82

83 Any student enrolled in grades kindergarten to twelve, inclusive, shall be
84 permitted to take two mental health wellness days during the school year,
85 during which day such student shall not be required to attend school. No
86 student shall take mental health wellness days during consecutive school days.
87 Mental health wellness days shall be excused when permission by the student's
88 parent/guardian is documented by the student's school, regardless of the
89 number of absences a student has accrued in the school year. Mental health
90 wellness days will not be included in reporting or referrals related to truancy.
91 Mental health wellness day will count as an "absence" for determining chronic
92 absenteeism, as defined in Section II of this policy.

93

94 BC. Written Documentation Requirements for Absences

95

96 1. Written documentation must be submitted for each incidence of absence within ten
97 (10) school days of the student's return to school. Consecutive days of absence are
98 considered one incidence of absence.

99

100 2. The first nine (9) days of absence will be excused upon receipt of a signed note from
101 the student's parent/guardian, a signed note from a school official that spoke in person

102 with the parent/guardian regarding the absence, or a note confirming the absence by
103 the school nurse or by a licensed medical professional, as appropriate. For any
104 absence due to student illness, the signed note must include the specific symptom(s)
105 exhibited by the student so that the District can monitor trends that would suggest the
106 spread of COVID-19.

- 107
- 108 3. For the student's tenth (10th) absence, and all absences thereafter, documentation of
109 the absence must be submitted in accordance with paragraphs 1 and 2 above, and must
110 also include the reason for the absence and the following additional information:

111

112 a. student illness:

- 113
- 114 i. a signed note from a medical professional, who may be the school nurse, who
115 has evaluated the student confirming the absence and giving an expected return
116 date and including the specific symptom(s) exhibited by the student so that the
117 District can monitor trends that would suggest the spread of COVID-19; or
118 ii. a signed note from school nurse who has spoken with the student's medical
119 professional and confirmed the absence, including the date and location of the
120 consultation and including the specific symptom(s) exhibited by the student so
121 that the District can monitor trends that would suggest the spread of COVID-
122 19.

123 b. religious holidays: none.

124 c. mandated court appearances:

125 i. a police summons;

126 ii. a subpoena;

127 iii. a notice to appear;

128 iv. a signed note from a court official; or

129 v. any other official, written documentation of the legal requirement to
130 appear in court.

- 132 d. funeral or death in the family, or other emergency beyond the control of the
133 student's family: a written document explaining the nature of the
134 emergency.
- 135 e. extraordinary educational opportunity pre-approved by the district
136 administrators and in accordance with Connecticut State Department
137 of Education guidance and this policy: written pre-approval from the
138 administration, in accordance with this regulation.
- 139 f. lack of transportation that is normally provided by a district other than the
140 one the student attends: none.

141

142 4. Neither e-mail nor text message shall serve to satisfy the requirement of written
143 documentation. In rare and extraordinary circumstances, a building administrator
144 may, in his/her own discretion, accept the delivery of written documentation through a
145 scanned copy sent by e-mail.

146

147 5. The District reserves the right to randomly audit written documentation received,
148 through telephone and other methods of communication, to determine its authenticity.

149

150 6. Any absence that is not documented in accordance with this regulation within ten (10)
151 school days after the incidence of absence will be recorded as unexcused. If
152 documentation is provided within ten (10) school days, but is incomplete, the building
153 principal may, at his/her own discretion, grant up to a five (5) school day extension for
154 provision of the completed documentation.

155

156 **ED.** Extraordinary Educational Opportunities

157

- 158 1. To qualify as an extraordinary educational opportunity, the opportunity must:
- 159 a. be educational in nature and must have a learning objective related to the student's
160 course work or plan of study;
- 161 b. be an opportunity not ordinarily available to the student;
- 162 c. be grade and developmentally appropriate; and

- 163 d. include content that is highly relevant to the student; while some opportunities will
164 be relevant to all students, others will contain very specific content that would
165 limit their relevance to a smaller group of students.
166
- 167 2. Family vacations do not qualify as extraordinary educational opportunities.
168
- 169 3. All requests for approval of extraordinary educational opportunities must:
170 a. be submitted to the building principal in writing prior to the opportunity, but no
171 later than ten (10) school days prior to the opportunity except in exceptional
172 circumstances at the discretion of the building administrator;
173 b. contain the signatures of both the parent/guardian and the student;
174 c. include an outline of the learning objective of the opportunity and include detail as
175 to how the objective is linked to the student's coursework or plan of study; and
176 d. include additional documentation, where available, about the opportunity.
177
- 178 4. The building principal shall provide a response in writing and include the following:
179 a. either approval or denial of the request;
180 b. brief reason for any denial;
181 c. any requirements placed upon the student as a condition of approval;
182 d. the specific days approved as excused absences for the opportunity;
183 e. the understanding that the building administrator may withdraw its approval if the
184 opportunity is canceled or the student fails to meet the agreed-upon requirements
185 of the approval.
186
- 187 5. All decisions of the building principal relating to extraordinary educational
188 opportunities shall be final.
189
- 190 6. Students who are granted excusal from school to participate in extraordinary
191 educational opportunities are expected to share their experiences with other students
192 and/or school staff when they return.
193

194 7. Approval for an extraordinary educational opportunity is determined on a case-by-case
195 basis and the analysis of individualized factors. An opportunity approved for one
196 student may not be approved for another.

197

198 D.E. Truancy Exceptions:

199

200 1. A student five (5) or six (6) years of age shall not be considered truant if the parent or
201 person having control over such student has appeared personally at the school district
202 office and exercised the option of not sending the child to school at five (5) or six (6)
203 years of age.

204

205 2. Until June 30, 2023, A student seventeen (17) years of age shall not be considered
206 truant if the parent or person having control over such student consents to such
207 student's withdrawal from school. Such parent or person shall personally appear at the
208 school district office and sign a withdrawal form indicating such consent. Such
209 withdrawal form must include an attestation from a guidance counselor or school
210 administrator from the school that the district provided the parent (or person having
211 control of the child) with information on the educational options available in the
212 school system and community.

213

214 3. Beginning July 1, 2023, a student who is eighteen (18) years of age or older may
215 withdraw from school. Such student shall personally appear in person at the school
216 District office and sign a withdrawal form. Such withdrawal form must include an
217 attestation from a guidance counselor or school administrator from the school that the
218 District provided such student with information on the educational options available in
219 the school system and community.

220

221 4. Beginning July 1, 2023, a student seventeen (17) years of age shall not be considered
222 truant if the parent or person having control over such child withdraws such child from
223 school and enrolls such child in an adult education program pursuant to Conn. Gen.
224 Stat. § 10-69. Such parent or person shall personally appear at the school District
225 office and sign an adult education withdrawal and enrollment form. Such adult
226 education withdrawal and enrollment form shall include an attestation (1) from a
227 school counselor or school administrator of the school that the District has provided
228 such parent or person with information on the educational options available in the
229 school system and in the community, and (2) from such parent or person that such

230 [child will be enrolled in an adult education program upon such child's withdrawal](#)
231 [from school.](#)

232
233 35. If a parent or guardian of an expelled student chooses not to enroll the student
234 in an alternative program, the student shall not be considered to be “truant.”

235
236 EF. Readmission to School Following Voluntary Withdrawal

237
238 1. Except as noted in paragraph 2 below, if a student voluntarily withdraws from school
239 (in accordance with Section D.2, above) and subsequently seeks readmission, the
240 Board may deny school accommodations to the student for up to ninety (90) school
241 days from the date of the student’s withdrawal from school.

242
243 2. If a student who has voluntarily withdrawn from school (in accordance with Section
244 D.2, above) seeks readmission within ten (10) school days of his/her withdrawal, the
245 Board shall provide school accommodations to the student not later than three (3)
246 school days after the student requests readmission.

247
248 EG. Determinations of Whether a Student is “In Attendance”:

249
250 1. A student serving an out of school suspension or expulsion shall be reported as absent
251 unless he or she receives an alternative educational program for at least one half of the
252 regular school day. In any event, the absence is considered a disciplinary absence, and
253 will not be designated as excused or unexcused.

254
255 2. On early dismissal days and days shortened due to inclement weather, the regular
256 school day for attendance purposes is considered to be the amount of instructional time
257 offered to students on that day. For example, if school is open for four hours
258 on a shortened day scheduled, a student must be present for a minimum of two hours
259 in order to be considered “in attendance.”

261 3. Students placed on homebound instruction due to illness or injury in accordance with
262 applicable regulations and requirements are counted as being “in attendance” for every
263 day that they receive instruction from an appropriately certified teacher for an amount
264 of time deemed adequate in accordance with applicable law.

265

266 GH. Procedures for students in grades K-8*

267 1. Notification

268 a. Annually at the beginning of the school year and upon the enrollment of any child
269 during the school year, the administration shall notify the parent or other person
270 having control of the student enrolled in grades K - 8 in writing of the obligations
271 pursuant to Conn. Gen. Stat. § 10-184 to ensure that such a student attends school
272 regularly or to show that the child is elsewhere receiving equivalent instruction in
273 the studies taught in the District.

274

275 b. Annually at the beginning of the school year and upon the enrollment of any child
276 during the school year, the administration shall obtain from the parent or other
277 person having control of the student in grades K-8 a telephone number or other
278 means of contacting such parent or other person during the school day.

279

280 2. Monitoring

281 Each school shall implement a system of monitoring individual unexcused absences of
282 students in grades K-8. Whenever such a student fails to report to school on a
283 regularly scheduled school day, school personnel under the direction of the building
284 principal [or ~~his/her~~ designee] shall make a reasonable effort to notify the parent or
285 other person having control of such student by telephone and by mail of the student's
286 absence, unless school personnel have received an indication that the parent or other
287 person is aware of the student's absence. [Reasonable efforts shall include two (2)
288 attempts to reach the parent or other person at the telephone number provided by the
289 parent or other person. Such attempts shall be recorded on a form provided by the
290 Superintendent.] Any person who, in good faith, gives or fails to give such notice
291 shall be immune from liability, civil or criminal, which might otherwise be incurred or

292 imposed and shall have the same immunity with respect to any judicial proceeding
293 which results from such notice or failure to give notice.

294

295 [*Note: State law mandates notification and monitoring only with regard to students in
296 grades K-8. Boards of Education are free, however, to extend the application of
297 monitoring and intervention procedures to students at all grade levels.]

298

299 HJ. Procedures applicable to students ages five (5) to eighteen (18)

300 1. Intervention

301 a. When a student is truant, the building principal or his/her designee shall schedule a
302 meeting with the parent (or other person having control of such student) and
303 appropriate school personnel to review and evaluate the reasons for the student's
304 truancy. This meeting shall be held no later than ten (10) days after the student
305 becomes truant. The district shall document the meeting, and if parent or other
306 person declines to attend the meeting, or is otherwise is non-
307 responsive, that fact shall also be documented and the meeting shall proceed with
308 school personnel in attendance.

309 b. When a student is truant, the Superintendent or his/her designee shall coordinate
310 services with and referrals of students to community agencies providing child and
311 family services, as appropriate. The district shall document efforts to contact and
312 include families and to provide early intervention in truancy matters.

313 c. When a student is truant, the Superintendent or designee shall provide notice to the
314 student's parent or guardian of the information concerning the existence and
315 availability of the 2-1-1 Infoline program, and other pediatric mental and
316 behavioral health screening services and tools described in Conn. Gen. Stat. § 17a-
317 22r.

318

319 d. Beginning July 1, 2023, when a student is truant, an appropriate school mental
320 health specialist, as determined by the District, shall conduct an evaluation of the
321 student to determine if additional behavioral health interventions are necessary for
322 the well-being of the child. "School mental health specialist" means any person
323 employed by the District to provide mental health services to students, including
324 but not limited to a school social worker, school psychologist, trauma specialist,
325 behavior technician, board certified behavior analyst, school counselor, licensed
326 professional counselor or licensed marriage and family therapist.

327

328 ee. If the Commissioner of Education determines that any school under the jurisdiction
329 of Madison Board of Education (the “Board”) has a disproportionately high rate of
330 truancy, the district shall implement in that school a truancy intervention model
331 identified by the Department of Education pursuant to Conn. Gen. Stat. § 10-198e.

332 ef. In addition to the procedures specified in subsections (a) through (c) above, a
333 regular education student who is experiencing attendance problems should be
334 referred to the building Child Study Team [or other appropriate school-based team]
335 to consider the need for additional interventions and/or assistance. The Team will
336 also consider whether the student should be referred to a planning and placement
337 team (“PPT”) meeting to review the student’s need and eligibility for special
338 education. A special education student who is experiencing attendance problems
339 should be referred to a PPT meeting for program review.

340 eg. Where the documented implementation of the procedures specified in subsections
341 (a) through (d) above does not result in improved outcomes despite collaboration
342 with the parent/guardian, the Superintendent or his/her
343 designee may, with written parental consent, refer a student who is truant to a
344 Youth Service Bureau.

345
346 **II. Attendance Records**

347
348 All attendance records developed by the Board shall include the individual student’s
349 state-assigned student identifier (SASID).

350
351 **II. Chronic Absenteeism**

352 **A. Definitions for Section II**

- 353 1. “Chronically absent child” - a child who is enrolled in a school under the
354 jurisdiction of the Board and whose total number of absences at any time
355 during a school year is equal to or greater than ten percent (10%) of the total
356 number of days that such student has been enrolled at such school during such
357 school year;

- 358 2. “Absence” - an excused absence, unexcused absence or disciplinary absence,
359 as those terms are defined by the State Board of Education pursuant to section
360 10-198b of the general statutes and these administrative regulations;
- 361 3. “District chronic absenteeism rate” - the total number of chronically absent
362 children under the jurisdiction of the Board in the previous school year divided
363 by the total number of children under the jurisdiction of the Board for such
364 school year; and
- 365 4. “School chronic absenteeism rate” - the total number of chronically absent
366 children for a school in the previous school year divided by the total number of
367 children enrolled in such school for such school year.

368 B. Establishment of Attendance Review Teams

369 If the Board has a district chronic absenteeism rate of ten percent (10%) or higher,
370 it shall establish an attendance review team for the school district.

371

372 If a school under the jurisdiction of the Board has a school chronic absenteeism
373 rate of fifteen percent (15%) or higher, it shall establish an attendance review team
374 for that school.

375

376 If the Board has more than one school with a school chronic absenteeism rate of
377 fifteen percent (15%) or higher, it shall establish an attendance review team for the
378 school district or at each such school.

379

380 If the Board has a district chronic absenteeism rate of ten percent (10%) or higher
381 and one or more schools with a school chronic absenteeism rate of fifteen percent
382 (15%) or higher, it shall establish an attendance review team for the school district
383 or at each such school.

384

385 C. Composition and Role of Attendance Review Teams

386 Any attendance review team established under these regulations may include
387 school administrators, guidance counselors, school social workers, teachers,

388 representatives from community-based programs who address issues related to
389 student attendance by providing programs and services to truants, as defined under
390 I.A.7, and chronically absent children and their parents or guardians.

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

397

398 **D. State Chronic Absenteeism Prevention and Intervention Plan**

399 The Board and its attendance review teams, if any, will consider any chronic
400 absenteeism prevention and intervention plan developed by the State Department
401 of Education.

402

403 **III. Reports to the State Regarding Truancy Data**

404 Annually, each local and regional board of education shall include information
405 regarding the number of truants and chronically absent children in the strategic school
406 profile report for each school under its jurisdiction and for the school district as a
407 whole submitted to the Commissioner of Education. Measures of truancy include the
408 type of data that is required to be collected by the Department of Education regarding
409 attendance and unexcused absences in order for the department to comply with federal
410 reporting requirements and the actions taken by the board of education to reduce
411 truancy in the school district.

412

413 **IV. Evolving State Department of Education Guidance**

414 The Board will comply with any and all guidance issued by the State Department of
415 Education regarding attendance requirements, including during periods of blended
416 learning, and regarding attendance requirements of students who choose not to
417 participate.

418

419 Legal References:

420

421 Connecticut General Statutes § 10-220

422

423 Connecticut General Statutes § 10-184

424

425 Connecticut General Statutes § 10-186

426

427 Connecticut General Statutes § 10-198a

428

429 Connecticut General Statutes § 10-198b

430

431 Connecticut General Statutes § 10-198c

432

433 Connecticut General Statutes § 10-198d

434

435 Connecticut General Statutes § 10-198e

436

437 [Connecticut General Statutes § 10-198f](#)

438

439 Guidelines for Reporting Student Attendance in the Public School Information System
440 (Connecticut State Department of Education, January 2008)

441

442 Connecticut State Board of Education Memorandum, *Definitions of Excused and*
443 *Unexcused Absences* (June 27, 2012)

444

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

448

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

452

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

455

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

458

459 [Connecticut State Department of Education, *Adapt, Advance, Achieve: Connecticut's*](#)
460 [Plan to Learn and Grow Together \(June 29, 2020\), available at \[https://portal.et.gov/-\]\(https://portal.et.gov/-/media/SDE/COVID-19/CTReopeningSchools.pdf\)](#)
461 [/media/SDE/COVID-19/CTReopeningSchools.pdf](#)

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463 [Connecticut State Department of Education Memorandum, *Mental Health Wellness*](#)
464 [Days \(January 24, 2022\)](#)

#5120.3

**Health Assessments/Screenings and
Oral Health Assessments
(formerly Health Services)**

Health Assessments

The Madison Board of Education (the “Board”) requires each student enrolled in the Madison Public Schools (the “District”) to undergo health assessments as mandated by state law. The purpose of such health assessments shall be to ascertain whether a student has any physical disability tending to prevent ~~him/her~~ the student from receiving the full benefit of school work and to ascertain whether school work should be modified in order to prevent injury to the student or to secure a suitable program of education for ~~him/her~~ the student. Such health assessments must be conducted by one of the following qualified providers for health assessments: (1) a legally qualified practitioner of medicine; (2) an advanced practice registered nurse or registered nurse, who is licensed under state statute; (3) a physician assistant, who is licensed under state statute; (4) the school medical advisor; or (5) a legally qualified practitioner of medicine, an advanced practice registered nurse or a physician assistant stationed at any military base. The Board will provide written prior notice of the health assessments required under these administrative regulations to the parent or guardian of each student subject to assessment. The parent or guardian shall be provided a reasonable opportunity to be present during such assessment or ~~he/she~~ the parent or guardian may provide for such assessment ~~him/herself~~. No health assessment shall be made of any public school student unless it is made in the presence of the parent or guardian or in the presence of another school employee. Any student who fails to obtain the health assessments required by these administrative regulations may be denied continued attendance in the District.

Health Assessments Required

~~The Board recognizes that, due to the COVID-19 pandemic, “well” child appointments (“Health Appointments”) with qualified health care practitioners have been subject to cancellation and may be limited in availability prior to and during the 2020-2021 school~~

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~~year. Due to the unavailability of Health Appointments, there may be barriers for a student to obtain a required health assessment even if the student’s parents or guardians make every attempt to schedule the Health Appointment.~~

~~The Board is permitted to deny attendance to a student who fails to obtain health assessments required by law and Board policy. However, during the 2020-2021 school year given the unavailability of Health Appointments due to the COVID-19 pandemic, the Board is prioritizing keeping students in school where possible. The Board recognizes that being present in the classroom is especially important during the 2020-2021 school year due to the cancellation of classes in the spring of the 2019-2020 school year. Accordingly, the District administration, when appropriate, will work with parents and guardians to have a Health Appointment scheduled as soon as possible rather than deny attendance to a student. In addition, as set forth herein, the Board has provided for temporary flexibility regarding the submission of required health assessments in light of the COVID-19 pandemic.~~

Prior to enrollment in the District, or as soon as possible thereafter, each student must undergo a health assessment, which shall include:

- (a) a physical examination which includes hematocrit or hemoglobin tests, height, weight, blood pressure, and a chronic disease assessment which shall include, but not be limited to, asthma. The assessment form shall include (A) a check box for the provider conducting the assessment, to indicate an asthma diagnosis, (B) screening questions relating to appropriate public health concerns to be answered by the parent or guardian, and (C) screening questions to be answered by such provider;
- (b) an updating of immunizations as required by state law;
- (c) vision, hearing, speech and gross dental screenings;

60 (d) such other information, including health and developmental history, as the
61 physician feels is necessary and appropriate.

62 The pre-enrollment assessment shall also include tests for tuberculosis, sickle cell anemia
63 or Cooley’s anemia, and tests for lead levels in the blood if, after consultation with the
64 school medical advisor and the local health department, the Board determines that such
65 tests are necessary. Such tests must be conducted by a registered nurse acting pursuant to
66 the written order of a physician, or physician’s assistant, licensed under state law, or an
67 advanced practice registered nurse, licensed under state law.

68 Each student enrolled in the District must undergo a health assessment when entering
69 grade six and when entering grade ten, which shall include:

70 (a) a physical examination which includes hematocrit or hemoglobin tests, height,
71 weight, blood pressure, and a chronic disease assessment which shall include, but
72 not be limited to, asthma as defined by the Commissioner of Public Health
73 pursuant to subsection (c) of section 19a-62a of the Connecticut General Statutes.
74 The assessment form shall include (A) a check box for the provider conducting
75 the assessment, to indicate an asthma diagnosis, (B) screening questions relating
76 to appropriate public health concerns to be answered by the parent or guardian,
77 and (C) screening questions to be answered by such provider;

78 (b) an updating of immunizations as required by state law;

79 (c) vision, hearing, postural and gross dental screenings;

80 (d) such other information, including health and developmental history, as the
81 physician feels is necessary and appropriate.

82 The grade six and grade ten assessments shall also include tests for tuberculosis and
83 sickle cell anemia or Cooley’s anemia if, after consultation with the school medical
84 advisor and the local health department, the Board determines that such tests are
85 necessary. Such tests must be conducted by a registered nurse acting pursuant to the
86 written order of a physician, or physician’s assistant, licensed under state law, or of an
87 advanced practice registered nurse, licensed under state law.

88 The Board of Education shall provide such assessments free of charge to students whose
89 parents or guardians meet the eligibility requirements for free and reduced price meals
90 under the National School Lunch Program or for free milk under the special milk
91 program.

92 **Oral Health Assessments**

93 A. Prior to enrollment in the District, or as soon as possible thereafter, in grade six
94 and in grade ten, the Board shall request that each student undergo an oral health
95 assessment. Such oral health assessments must be conducted by one of the
96 following qualified providers for oral health assessments: (1) a dentist licensed
97 under state law; (2) a dental hygienist licensed under state law; (3) a legally
98 qualified practitioner of medicine trained in conducting oral health assessments as
99 a part of a training program approved by the Commissioner of Public Health; (4) a
100 physician assistant licensed under state law and trained in conducting oral health
101 assessments as part of a training program approved by the Commissioner of
102 Public Health; or (5) an advanced practice registered nurse licensed under state
103 statute and trained in conducting oral health assessments as part of a training
104 program approved by the Commissioner of Public Health.

105 B. The oral health assessment identified in subsection A above shall include a dental
106 examination by a dentist, or a visual screening and risk assessment for oral health
107 conditions by a dental hygienist, legally qualified practitioner of medicine,
108 physician assistant, or advanced practice registered nurse. The assessment form
109 shall include a check box for the qualified provider conducting the assessment to
110 indicate any low, moderate or high-risk factors associated with any dental or
111 orthodontic appliance, saliva, gingival condition, visible plaque, tooth
112 demineralization, carious lesions, restorations, pain, swelling or trauma.

113 C. No oral health assessment shall be made of any public school student unless the
114 parent or guardian of the student consents to such assessment and such assessment
115 is made in the presence of the parent or guardian or in the presence of another
116 school employee. The parent or guardian shall be provided with prior written

117 notice of an oral health assessment and be provided with a reasonable opportunity
118 to opt ~~his/her~~ the child out of such assessment, or the parent or guardian may
119 provide for such oral health assessment ~~him or herself~~.

120 D. If the Board of Education hosts a free oral health assessment event where
121 qualified providers (identified in subsection A above) perform oral health
122 assessments of children attending a public school, the Board shall notify the
123 parents and guardians of such children of the event in advance and provide an
124 opportunity for parents and guardians to opt their child(ren) out of such event.
125 The Board shall infer parent/guardian consent for each child whose parent or
126 guardian did not opt ~~him or her~~ the child out of the free oral health assessment
127 event and shall provide such child with a free oral health assessment; however,
128 such child shall not receive dental treatment of any kind unless the child's parent
129 or guardian provides informed consent for such treatment.

130 E. Any student who fails to obtain an oral health assessment requested by the Board
131 shall not be denied enrollment or continued attendance in the District.

132 **Screenings Required**

133 The Board will provide annually to each student enrolled in kindergarten and grades one
134 and three to five, inclusive, a vision screening. Such vision screening may be performed
135 using a Snellen chart or an equivalent screening device, ~~such as~~ or an automated vision
136 screening device. The Superintendent shall give written notice to the parent or guardian
137 of each student (1) who is found to have any defect of vision or disease of the eyes, with a
138 brief statement describing the defect or disease and a recommendation that the student be
139 examined by an optometrist or ophthalmologist licensed pursuant to state law, and (2)
140 who did not receive such vision screening, with a brief statement explaining why such
141 ~~pupil~~ student did not receive such vision screening.

142 The Board will provide annually to each student enrolled in kindergarten and grades one
143 and three through five, inclusive, audiometric screening for hearing. The Superintendent
144 shall give written notice to the parent or guardian of each student (1) who is found to have
145 any impairment or defect of hearing, with a brief statement describing the impairment or

146 defect, and (2) who did not receive an audiometric screening for hearing, with a brief
147 statement explaining why such student did not receive an audiometric screening for
148 hearing.

149 The Board will provide postural screenings for (1) each female student in grades five and
150 seven, and (2) each male student in grade eight or nine. The Superintendent shall give
151 written notice to the parent or guardian of each student (A) who evidences any postural
152 problem, with a brief statement describing such evidence, and (B) who did not receive a
153 postural screening, with a brief statement explaining why such student did not receive
154 such postural screening.

155 All of the screenings required under these administrative regulations will be performed in
156 accordance with regulations applicable to such screenings as adopted by the State Board
157 of Education.

158 **Assessment/Screening Results**

159 The results of each assessment and screening required or requested by these
160 administrative regulations shall be recorded on forms supplied by the State Board of
161 Education. Each qualified provider performing health assessments or oral health
162 assessments under these administrative regulations shall sign each form and any
163 recommendations concerning a student shall be in writing. Assessment/screening forms
164 shall be included in the cumulative health record of each student and they shall be kept on
165 file in the school attended by the student. If a student transfers to another school district
166 in Connecticut, ~~his/her~~ the student's original cumulative health record shall be sent to the
167 chief administrative officer of the new school district and a true copy retained by the
168 Board. For a student leaving Connecticut, a copy of the records, if requested, should be
169 sent and the original maintained.

170 Appropriate school health personnel shall review the results of each assessment and
171 screening. If the reviewing school health personnel judge that a student is in need of
172 further testing or treatment, the Superintendent shall give written notice to the parent or
173 guardian of such student and shall make reasonable efforts to ensure that such further
174 testing or treatment is provided. Reasonable efforts shall include determination of

175 whether the parent or guardian has obtained the necessary testing or treatment for the
176 student, and, if not, advising the parent or guardian how such testing or treatment may be
177 obtained. The results of such further testing or treatment shall be recorded, kept on file
178 and reviewed by appropriate school health personnel in the same manner as the results of
179 the health assessments and screenings required or requested under these administrative
180 regulations.

181 The district shall report to the local health department and the Department of Public
182 Health, on a triennial basis, the total number of children per school and on a district-wide
183 basis having a diagnosis of asthma (1) at the time of public school enrollment, (2) in
184 grade six or seven, and (3) in grade ~~ten- nine~~ or ~~eleven- ten~~. The report shall contain the
185 asthma information collected as required under Section II of this Policy and shall include
186 information regarding each diagnosed child's age, gender, race, ethnicity and school.

187 **Exemption**

188 Nothing in these administrative regulations shall be construed to require any student to
189 undergo a physical or medical examination or treatment, or be compelled to receive
190 medical instruction, if the parent or legal guardian of such student or the student, if ~~he/she~~
191 the student is an emancipated minor or is eighteen (18) years of age or older, notifies the
192 teacher or principal or other person in charge of such student in writing that ~~he/she- the~~
193 student objects on religious grounds to such physical or medical examination or treatment
194 or medical instruction.

195 **Other Non-Emergency Invasive Physical Examinations and Screenings**

196 A. In addition to the screenings listed above, the district may, from time to time, require
197 students to undergo additional non-emergency, invasive physical
198 examination(s)/screening(s).

199 B. A non-emergency, invasive physical examination or screening is defined as:

200 1. any medical examination that involves the exposure of private body parts; or

- 201 2. any act during such examination that includes incision, insertion, or injection into
202 the body, but does not include a hearing, vision, or scoliosis screening; and
- 203 3. is required as a condition of attendance, administered by the school and scheduled
204 by the school in advance; and
- 205 4. is not necessary to protect the immediate health and safety of the student, or of
206 other students.
- 207 C. If the district elects to conduct any such examinations, then, at the beginning of the
208 school year, the administration shall give direct notice to parents of affected students
209 of the district's intent to conduct the non-emergency invasive physical examination(s)
210 and/or screening(s) described in this subsection. Such notice shall include the
211 specific or approximate dates during the school year of the administration of such
212 non-emergency invasive physical examination(s)/screening(s).
- 213 D. Upon request, the administration shall permit parents or students over the age of
214 eighteen (18) (or emancipated minors) to opt out of participation in the non-
215 emergency invasive physical examination(s)/screening(s) described in this
216 subparagraph.

217 **School Representative to Receive Information Concerning Health Assessments**

218 The Board designates the school nurse coordinator as the representative for receipt of
219 reports from health care providers concerning student health assessments and oral health
220 assessments.

221 Legal References:

222 **Connecticut General Statutes**

223 § 10-206 Health assessments

224 § 10-206a Free health assessments

225 [§ 10-206d Oral health assessments](#)

226 § 10-208 Exemption from examination or treatment

227 [§ 10-209 Records not be public. Provision of reports to schools](#)

228 § 10-214 Vision, audiometric and postural screenings: When required;
229 notification of parents re defects; record of results

230 ~~Public Act 18-168, “An Act Concerning the Department of Public Health’s~~
231 ~~Recommendations Regarding Various Revisions to the Public Health Statutes,”~~
232 ~~Sections 8, 80 and 81.~~

233 ~~Public Act No. 21-95, “An Act Concerning Assorted Revisions and Additions to~~
234 ~~the Education Statutes.”~~

235 ~~Public Act No. 21-121, “An Act Concerning the Department of Public Health’s~~
236 ~~Recommendations Regarding Various Revisions to the Public Health Statutes.”~~

237 State of Connecticut Department of Education, Bureau of Health/Nutrition,
238 Family Services and Adult Education, Cumulative Health Records Guidelines
239 (Revised Jan. 2012), [https://portal.ct.gov/-/media/SDE/School-](https://portal.ct.gov/-/media/SDE/School-Nursing/Publications/CHR_guidelines.pdf)
240 [Nursing/Publications/CHR_guidelines.pdf](https://portal.ct.gov/-/media/SDE/School-Nursing/Publications/CHR_guidelines.pdf)

241 **Federal Law:**

242 ~~Elementary and Secondary Education Act of 1965, as amended by the Every~~
243 ~~Student Succeeds Act, Public Law 114-95, at 20 U.S.C. §§ 1232h(c)(2)(C)(iii)~~
244 ~~and 1232h(c)(6)(B).~~

245 ~~Elementary and Secondary Education Act of 1965, as amended by the Every~~
246 ~~Student Succeeds Act, Public Law 114-95, at 20 U.S.C. § 1232h(c)(2)(C)(iii).~~

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248 Date of Adoption: September 22, 2020