

WESTPORT BOARD OF EDUCATION
POLICY COMMITTEE
NOTICE OF SPECIAL MEETING
AGENDA

(Agenda Subject to Modification in Accordance with Law)

SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING:

Pursuant to the Governor's Executive Orders No. 7B and 9H, there will not be a physical location for this meeting. This meeting will be held electronically and live streamed on westportps.org and shown on Optimum Government Access Channel 78 and Frontier Channel 6021. Emails to BOE members can be sent to BOE@westportps.org. Comments to be read during the public comment period must be submitted to the meeting's Googledoc during the submission period. Please see the following link for instructions and guidelines:

https://www.westportps.org/uploaded/site_files/www/boe/Procedures_and_Guidelines_for_Public_Participation_in_Remote_Board_Meetings.pdf. We will use our best efforts to read public comments if they are received during the public comment period and if they state your full name and address. Meeting materials will be available at westportps.org along with the meeting notice posted on the Meeting Agenda page.

WORK SESSION:

8:00 a.m. Held Remotely Via Zoom Pursuant to Executive Order 7B and 9H

DISCUSSION/ACTION:

1. Minutes: November 4, 2020, *pages 1-2*

DISCUSSION:

1. Continued Discussion of Policy 6162.51, "Surveys of Students/Student Privacy" (Revision), *pages 3-10*
2. First Reading of the Following:
 - Policy 6141.321, "Acceptable Use" (Revision), *pages 11-14*
 - Policy 1230, "Booster Clubs" (New), *pages 15-16*
 - Policy 5145.12, "Search and Seizure" (Revision), *pages 17-22*
 - Policy 4118.55, "Social Media" (Revision and Number Change to 4118.51), *pages 23-26*
 - Policy 3453, "School Activity Funds" (Revision), *pages 27-28*
3. Second Reading of the Following:
 - Policy 1331, "Smoke Free Environment" (Revision), *pages 29-31*
 - 5000-series "Education Stability Procedures for Transportation Coordination with the Department of Children and Families" (New), *pages 32-34*
 - Policy 5141.4, "Child Sex Abuse and Assault Response Policy and Reporting" (New), *pages 35-36*
 - Policy 5141.3, "Immunizations" (Review), *pages 37-41*
4. Any Other Policy Matters

ADJOURNMENT

PUBLIC PARTICIPATION WELCOME USING THE FOLLOWING GUIDELINES:

- Public comment will be accepted via a Google doc and the comments will be read aloud at the meeting. A link will be provided prior to the meeting.
- There will be no in-person public comment due to public health concerns.
- A maximum of 15 minutes will be provided for public comments.
- Comments on agenda items are limited to 1 minute each.

It is the policy of the Town of Westport that all Town-sponsored public meetings and events are accessible to people with disabilities. If you need assistance in participating in a meeting or event due to a disability as defined under the Americans with Disabilities Act, please contact Westport's ADA Coordinator at 203-341-1043 or eflug@westportct.gov at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

Meeting: November 4, 2020

Via Zoom and GoogleDoc

**WESTPORT BOARD OF EDUCATION
POLICY COMMITTEE WORK SESSION MINUTES**

Committee Members Present:

Karen Kleine Committee Chair
Lee Goldstein

Administrators Present

John Bayers Director of Human Resources (departed at 9:00 a.m.)
Christine Wanner Coordinator of Health and Physical Education

PUBLIC SESSION/CALL TO ORDER: 8:09 a.m., Held Remotely Via Zoom Pursuant to Executive Orders 7B and 9H

MINUTES: Karen Kleine moved to approve the minutes of October 21, 2020; seconded by Lee Goldstein. (2-0-0).

DISCUSSION

1. Continued Discussion of Policy 6162.51, "Surveys of Students/Student Privacy" (Revision)
2. Second Reading of Policy 2260, "Policy Regarding Retention of Electronic Records and Information" (New)
3. First Reading of the Following:
 - Policy 5131.6, "Alcohol, Drugs, and Tobacco" (Revision)
 - Policy 1331, "Smoke Free Environment" (Revision)
 - Policy 5131.63, "Chemical Health for Student Athletes" (New)
 - Policy 5141.4, "Child Sex Abuse and Assault Response Policy and Reporting" (New)
 - 5000-series "Education Stability Procedures for Transportation Coordination with the Department of Children and Families" (New)
 - Policy 5141.3, "Immunizations" (Revision)
 - Policy 4111.3, "Plan for Minority Staff Recruitment" (New)

Discussion of Policy 6141.321, "Acceptable Use" (Revision), was held for the following meeting

The following policies will be moved to the full Board for discussion:

- Policy 2260, "Policy Regarding Retention of Electronic Records and Information" (New)
- Policy 4111.3, "Plan for Minority Staff Recruitment" (New)

ADJOURNMENT

Meeting adjourned at 9:21 a.m.

Respectfully submitted,
Jennifer Caputo

Instruction

Survey of Students/Student Privacy

Surveys can be a valuable resource for schools and communities ~~in determining student needs for educational services.~~¹ When a survey is used, ~~every~~ effort should be made to ask questions in a neutral manner to [help](#) ensure the accuracy of the survey.²

Administrators, teachers, other staff members and the Board of Education may use surveys for many purposes. Such purposes may include, but are not limited to, [determining](#) the need for student services, ~~the determination of~~ [determining](#) prevailing views pertaining to proposed policies and/or practices, or ~~the determination of~~ [determining](#) student knowledge and/or attitudes related to a specific subject or units. These are examples of surveys and not intended to be an all-inclusive listing. [Surveys require Board and/or administrative approval, as applicable is required for surveys.](#)³ Responses [to surveys will not be used in any identifying manner unless a legally recognized exception or exemption applies.](#)⁴

In accordance with federal law, the Board of Education adopts, in consultation with parents, the following provisions related to student privacy.

I. Definitions

- A. *"Invasive physical examination"* means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.
- B. *"Parent"* includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).
- C. *"Personally identifiable information"* includes, but is not limited to,
 - 1. the student's name;
 - 2. the name of the student's parent or other family members;
 - 3. the address of the student or student's family;

¹ I have proposed to strike this language because the stricken language represents only a small portion of the reasons why surveys may be administered, according to the language of the policy.

² I have proposed to soften the language to avoid establishing standards that may be difficult to meet (e.g., "every effort" and "ensure").

³ You added the Board approval requirement in Section II.

⁴ I am concerned about framing this as an absolute. For example, a student may consent to the use of personally identifiable information, or such information may be used in an emergency circumstance.

4. a personal identifier, such as the student's social security number, student number, or biometric record;
 5. other information that, alone or in combination, is linked or linkable to a specific student that would allow ~~a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify~~ the identification of the student with reasonable certainty; or
 6. information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.
- D. *"Personal information"* means individually identifiable information including—
1. a student's or parent's first and last name;
 2. a home or other physical address (including a street name and the name of a city or town) or physical or technical (device) address or identifier;
 3. a telephone number; or
 4. a Social Security identification number.
- E. *"Survey"* ~~includes an evaluation~~ is defined as the collection of information from a sample of individuals through their responses to questions, but does not include a survey or evaluation administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.).

II. Student Surveys

Surveys conducted for agencies, organizations, or individuals other than the Westport Public Schools must have the recommendation of the Superintendent, or his/her designee, and approval of the Board of Education as to content and purpose.

- A. Surveys Funded in Whole or in Part by the U.S. Department of Education:
1. The administration shall make available for inspection by parents all instructional materials, including teacher's manuals, films, tapes or other supplementary material which will be used in connection with any survey, analysis, or evaluation funded in whole or in part by the U.S. Department of Education.
 2. The administration shall obtain the prior written consent of the parent or student (if the student is an adult or an emancipated minor), prior to requiring a student to submit to a survey, analysis, or evaluation funded in whole or part by the U.S. Department of Education that reveals information concerning any of the following topics:

- a. political affiliations or beliefs of the student or the student's parent;
- b. mental or psychological problems of the student or the student's parent;
- c. sex behavior or attitudes;
- d. illegal, anti-social, self-incriminating, or demeaning behavior;
- e. critical appraisals of other individuals with whom respondents have close family relationships;
- f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- g. religious practices, affiliations, or beliefs of the student or of the student's parent; or
- h. income (other than that required by law to determine eligibility in a program or for receiving financial assistance under such program).

B. [All Other Surveys, Whether Funded by Sources Other than the U.S. Department of Education, or Not Funded by Any Source:](#)

1. Third Party Surveys

- a. Prior to distributing any third party survey, the administration shall give notice to parents of the district's intent to distribute a survey on behalf of a third party.
- b. Upon request, the administration shall permit parents to inspect any third party survey before it is administered or distributed by a school to a student. The administration shall grant reasonable access to the survey within a reasonable period of time after a parental request is received.
- c. Student responses to third party surveys that contain personally identifiable information shall be considered student records, and shall be subject to the district's Confidentiality and Access to Student Records Policy and any administrative regulations or procedures governing the confidentiality of student records.

2. Confidential Topic Surveys

- a. The provisions of this subsection apply to any survey [\(i.e., any collection of personally identifiable information from students, whether or not it resembles a formal “survey\), regardless who sponsors it, or whether it is sponsored at all, which ~~\(sponsored~~](#)

~~by the school district or a third party) which~~ contains questions pertaining to one or more of the following items ("Confidential Topic Surveys"):

- i) political affiliations or beliefs of the student or the student's parent,
 - ii) mental or psychological problems of the student or the student's parent,
 - iii) sex behavior or attitudes,
 - iv) illegal, anti-social, self-incriminating, or demeaning behavior,
 - v) critical appraisals of other individuals with whom respondents have close family relationships,
 - vi) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers,
 - vii) religious practices, affiliations, or beliefs of the student or of the student's parent,
 - viii) income (other than that required by law to determine eligibility in a program or for receiving financial assistance under such program).
 - ix) biometric records
 - x) medical/genetic information
- b. At the beginning of the school year, ~~the~~ administration or faculty shall give direct notice to parents of affected students of the district's intent to distribute ~~a~~ one or more Confidential Topic Survey(s). Such notice shall include the specific or approximate dates during the school year of such distribution. This notice shall also permit the parent or student (if an adult or emancipated minor) to opt in or opt out of all such Confidential Topic Surveys for the year, and shall further permit the parent or student to choose to opt in solely through the use of paper and pencil for such surveys, in lieu of a web-based platform.
- c. Upon request, the administration shall permit parents to inspect any Confidential Topic Survey before it is administered, distributed or used by a school to or with a student. The administration shall grant reasonable access to the Confidential Topic Survey within a reasonable period of time after a parental request is received.

d. Confidential Topic Surveys may only be administered to students whose parents (or, in the case of an adult or emancipated minor, the student him or herself) has submitted a written opt-in for such Surveys. Where parents (or adult or emancipated minor students) have not opted in to all such Surveys at the beginning of the year, the administration or individual teachers may solicit a written opt-in in advance of a specific Survey. A written opt-in for for that Survey shall only apply to that Survey, and shall include the option to use paper and pencil for that Survey, in lieu of a web-based platform.

~~e.~~ Student responses to any Confidential Topic Survey that contains personally identifiable information shall be considered student records, and shall be subject to the district's Confidentiality and Access to Student Records Policy and any administrative regulations or procedures governing the confidentiality of student records.

~~e. Upon written request, the administration shall permit the parent or student (if an adult or emancipated minor) to opt out of participation in any Confidential Topic Survey described in this subparagraph.~~

~~f. For each Confidential Topic Survey, the administration shall determine whether, in connection with administering such survey, additional steps are advisable to help further protect student privacy, including but not limited to the privacy of student information collected, maintained, and/or used via a web-based platform such as an Internet web site, online service, or mobile application. The administration shall specifically consider, among any other considerations the administration determines are appropriate, (i) whether, in addition to the direct notice described in Section II.B.2.b above, further direct notice to parents of affected students of the district's intent to distribute such Confidential Topic Survey is appropriate, and if so, the timing and form of such notice; and (ii) whether such Confidential Topic Survey should be administered using paper and pencil in lieu of a web-based platform.~~

III. Collection of Personal Information

A. The provisions of this subsection apply to any instrument designed to collect personal information from a student for the purpose of marketing, selling or otherwise distributing such information or providing that information to others for that purpose. The provisions of subsection II, above, apply to any instruments described in this section that also meet the requirements of subsection II.

- B. At the beginning of the school year, the administration shall give direct notice to parents of affected students (or to the students aged eighteen (18) or older or emancipated minors) of the district's intent to collect, disclose or use personal information collected from students for the purpose of marketing, selling or otherwise distributing such information or providing that information to others for that purpose. Such notice shall include the specific or approximate dates during the school year of such collection, disclosure or use of personal information.
- C. Upon written request, the administration shall permit parents to inspect an instrument designed to collect personal information of students before it is administered or distributed by a school to a student. The administration shall grant reasonable access to the instrument within a reasonable period of time after a parental request is received.
- D. The administration will require parents (or students aged eighteen (18) or older or emancipated minors) to opt in to participation in the collection, disclosure or use of personal information obtained from students for the purposes of marketing, selling or otherwise distributing the personal information to others for that purpose.
- E. The provisions regarding the collection, disclosure and/or use of personal information do not apply to personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:
1. college or other post-secondary education recruitment, or military recruitment*;
 2. book clubs, magazines, and programs providing access to low-cost literary products;
 3. curriculum and instructional materials used by elementary schools and secondary schools;
 4. tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students;
 5. the sale by students of products or services to raise funds for school-related or education-related activities;
 6. student recognition programs.

*Note: Notwithstanding the foregoing, the district will permit parents and students over the age of eighteen (18) or emancipated minors to prevent disclosure of secondary school students' names, addresses and telephone numbers to military recruiters and institutions of higher education, in

accordance with the district's Confidentiality and Access to Student Records Policy.

IV. Non-Emergency Invasive Physical Examinations and Screenings:

- A. The provisions described in this subparagraph shall apply to any non-emergency, invasive physical examinations/screenings conducted by the school district, when such examinations/screenings meet the following conditions:
1. they are required as a condition of attendance;
 2. they are administered by the school and scheduled by the school in advance;
 3. they are not necessary to protect the immediate health and safety of the students; and
 4. they are not required by state law.
- B. At the beginning of the school year, the administration shall give direct notice to parents of affected students (or the affected student if eighteen (18) or older or an emancipated minor) of the district's intent to conduct non-emergency invasive physical examination(s)/ screening(s) described above, except for hearing, vision or scoliosis screenings. Such notice shall include the specific or approximate dates during the school year of the administration of such the non-emergency invasive physical examination(s) / screening(s).
- C. Upon written request, the administration shall permit parents of affected students or the affected students (if adults or emancipated minors) to opt out of participation in the non-emergency invasive physical examination(s)/screening(s) described in this subparagraph.

V. Complaint Procedure

Parents or students (if adults or emancipated minors) who believe that their rights under this policy have been violated may file a complaint with:

Family Policy Compliance Office
United States Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-8520

(cf. 6161 – Instructional Materials Selection)

Legal Reference:

Family Educational Rights and Privacy Act (FERPA), codified at 20 U.S.C. § 1232g; 34 CFR Part 99

Protection of Pupil Rights Amendment, Public Law 107-110, § 1061, codified at 20 U.S.C. § 1232h

Policy adopted:

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Instruction

Electronic Resources/Internet Safety

The Board of Education has installed electronic resources including but not limited to computers, a computer network, Internet access, and an e-mail system (referred collectively as “the computer systems”), in order to enhance both the educational opportunities for our students and the business operations of the district. These computer systems are business and educational tools. As such, they are available to students and staff in the district for education related uses. The Administration shall develop regulations setting forth procedures to be used by the Administration in an effort to ensure that such computer systems are used by students and staff solely for education related purposes.

The Board will educate minor students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber-bullying awareness and response. Additionally, the Board will implement a technology protection measure to block and filter Internet access to visual depictions that contain obscene material, contain child pornography, or are harmful to minors and ensure that such filtering technology is operative during computer use by minor students.

As the owner of the computer systems, the Board reserves the right to monitor the use of the district’s computers and computer systems.

Information about the Board of Education Policy on use of Electronic Resources and Internet Safety will be disseminated annually to students and parents through the distribution of the parent handbook. It will also be posted on the district website.

The principals are responsible for assuring that this policy has been publicized and disseminated to new enrollees during the school year.

Parental and administrative permission is required before students are given the privilege of using electronic information and communication resources including but not limited to websites, databases, interactive media sites, and online collaboration and publishing tools.

Students themselves, as well as parents of students under 18, are required to sign the attached Acceptable Use Agreement.

Principals are responsible for securing permission forms and agreements prior to granting students independent access to electronic resources.

The agreements are to be renewed as students enter grades three, middle school, and high school. The agreements are in effect for use of computers systems and electronic resources provided by the Westport Public Schools and for use of privately owned resources while on school properties.

Electronic resources of all formats including text, images, audio, and video are considered an extension of the classroom, and the same standards of acceptable behavior apply. Student use of

electronic information and communication resources is essential for academic achievement. Abuse of these resources will result in disciplinary action.

Students are prohibited from using the Internet or other electronic technology whether on or off campus, to interfere with educational process in any way. Abuses and violations should be reported to the administration. In accordance with the Board of Education policies and the school's disciplinary procedures, the administrator may invoke consequences, up to and including permanent revocation of electronic resource use, additional disciplinary measures, or legal action.

Policy adopted: 1997
Policy amended: October 5, 2009

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut



Instruction

Telecommunications/Internet - Acceptable Use

The school district believes in the educational value of communications, the Internet, and electronic information services, and recognizes their potential to support its educational program, the curriculum and student learning. Resource sharing, communications, and innovation capabilities for both students and teachers have been increased with access to telecommunications and to the Internet. The district will make every effort to protect students and teachers from any misuses or abuses as a result of experience with an electronic information service. It is therefore imperative that members of the school community conduct themselves in a responsible, decent, ethical, and polite manner while using any network. Further, they must abide by all local, state and federal laws.

Guidelines for General Use

It is important to recognize that with increased access to computers and people all over the world also comes the availability of controversial material that may not be considered of educational value in the context of the school setting. Further, the school district recognizes the importance of each individual's judgment regarding appropriate conduct in maintaining a quality resource system. While this policy does not attempt to articulate all required or proscribed behavior, it does seek to assist in such judgment by providing the following guidelines.

1. All use of the Internet, electronic services or any telecommunications network must be support of educational objectives or research.
2. Any electronic mail accounts shall be used only by the authorized owner of the account. Account owners are ultimately responsible for all activity under their account.
3. All communications and information accessible via a network should be assumed to be private.
4. Any use of the district's computing resources or networks for illegal or inappropriate purposes accessing materials that are objectionable in a public school environment, or supporting such activities, is prohibited. Language that is deemed to be vulgar is also prohibited. Illegal activities shall be defined as a violation of the intended use of the service or network. Inappropriate use shall be defined as a violation of the intended use of the service or network. Objectionable is defined as materials that are identified as such by the rules and policies of the Board of Education that relate to curriculum materials and textbook adoption.
5. Any use of telecommunication opportunities for commercial purposes financial gain, product advertisement, political lobbying, or attempt to disrupt the use of the services by others, is prohibited.
6. The Board of Education has no control of the information on the Internet. Other sites accessible via the Internet may contain material that is illegal, defamatory, inaccurate, or potentially offensive to some people.
7. Violations of the provisions stated in this policy may result in suspension or revocation of access privileges to the Internet, electronic services or district networks.

The Superintendent shall identify one administrator as the "District Internet Administrator" who will have responsibility for implementing this policy, establishing procedures, and supervising access privileges.

Guidelines for Student Use

Student use of electronic services is considered to be a privilege. Students at the elementary level may use telecommunications or the Internet only when supervised by a teacher or teacher aide. Guidelines for the use of these electronic services by elementary students will be developed by the District Internet Administrator.

Students in grades 6-12 who wish to use electronic services and networks that are available to them may do so provided that they:

1. Read and agree to the Acceptable Use Policy;

2. Sign Internet Use Agreement" (contract);
3. Obtain the signature of one parent/guardian (if under the age of 18) on the contract;
4. Have at least one teacher sign the contract form as a sponsor; and
5. Submit the completed contract to the designated person in each building.

Any parent or student who wishes to appeal any decision relative to Acceptable Use Policy should contact the District Internet Administrator.

Legal Reference: Connecticut General Statutes

[51a-182b](#) Harassment in the first degree: Class D Felony (as amended by PA 95-143)

20 U.S.C. Section 6777, No Child Left Behind Act

20 U.S.C. 254 Children's Internet Protection Act of 2000

47 U.S.C. Children's Online Protection Act of 1998

Policy adopted:



Community Relations

Other School-Connected Organizations

Booster Clubs

Parent organizations and booster clubs are invaluable resources to the District's schools. The Board of Education recognizes that parent organizations and extracurricular support groups, or "booster clubs" provide important support to District schools, and can be valuable means of stimulating community interest in the aims and activities of District schools. Support organizations may be defined in two ways:

1. an organization which is created to foster community support and provide resources for a particular sport or activity in the school or school system; or
2. an organization which is created to foster community support and raise funds for the school's general extracurricular program.

While parent organizations and booster clubs have no administrative authority and cannot determine District policy, the Board welcomes their suggestions and assistance.

Parent organizations and booster clubs are recognized by the Board of Education and permitted to use the District's name, a District school's name, or a District school's team name, or any logo attributable to the District provided they first receive the Superintendent or designee's express written consent. Consent to use one of the above-mentioned names or logos will generally be granted if the organization or club has bylaws containing the following:

1. The organization's or club's name and purpose, such as, to enhance students' educational experiences, to help meet educational needs of students, to provide extra athletic benefits to students, to assist specific sports teams or academic clubs through financial support, or to enrich extracurricular activities.
2. The rules and procedures under which it operates.
3. An agreement to adhere to all Board policies and administrative procedures.
4. A statement that membership is open and unrestricted, meaning that membership is open to parents/guardians of students enrolled in the school, district staff, and community members or an agreement not to engage in discrimination based on someone's innate characteristics or membership in a suspect classification.
5. A statement that the District is not, and will not be, responsible for the organization's or club's business or the conduct of its members.
6. An agreement to maintain and protect its own finances. The group must maintain bank, financial, and tax exempt status separate from the school or District. The organization will provide to the Board annually or upon request a complete set of financial records or detailed treasurer's report.
7. A recognition that money given to a school cannot be earmarked for any particular expense. Booster clubs may make recommendations, but cash or other valuable consideration must be given to the District to use at its discretion. The Board of Education's legal obligation to comply with Title IX by providing equal athletic opportunity for members of both genders will supersede an organization or club's recommendation.

Parents and other interested community members who wish to organize a parent organization or booster club for the purpose of supporting a specific school program or activity are encouraged to do so as long as the activities of such organizations do not interfere unduly with the total educational program or disrupt District operations in any way. To this end, parent organizations/booster club/support organizations must follow these guidelines:

1. be voluntary;
2. submit an activity schedule in advance to the Superintendent of Schools or his/her designee for prior approval. Any time

a booster club uses the name of the District or any language suggesting that the District has endorsed, sponsored or otherwise approved of the club's activities, there must be prior approval by the Superintendent or his/her designee;

3. seek advance approval for any use of school facilities and/or equipment and such use will comply with all policies and regulations established by the Board;
4. avoid interference with any previously approved student activity;
5. seek approval in advance of all fundraising activities by the Superintendent or building Principal;
6. understand and respect the authority of District employees in the administration of their duties; and
7. assume all financial responsibility for the booster club, including but not limited to the provision of adequate insurance coverage, as appropriate.

If a booster club wishes to make a contribution of money, service time or tangible property such as equipment or supplies, a representative of the organization should first meet with the Superintendent or his/her designee. The Superintendent or his/her designee must identify the District's terms and conditions of accepting such gifts in concert with the District's policy pertaining to gifts, grants and bequests.

Booster club proposed plans, projects and other activities must be evaluated and promoted in light of their stated contribution to the academic as well as the extracurricular school programs.

Careful consideration should be given to the total value of the contribution to all students, and not just to specific student groups.

The Board retains final responsibility and authority on all activities which have an impact on students, school programs and/or school owned property.

Further, the Board recognizes its responsibility to ensure that equivalent benefits and services are provided to members of both sexes. Therefore, if booster clubs provide benefits, services or tangible property that assist only teams or programs of one gender, the Board shall ensure that teams or programs of the other gender receive equivalent benefits, services or tangible property. If a booster club provides benefits, services or tangible property which are greater than that which the District is capable of providing to the athletes or programs of the other gender, the administration shall take action, within policy parameters, to ensure equivalency for both sexes.

Alternative/Additional Language:

The Board of Education is responsible for providing funding for the safe and effective operation of the interscholastic sports program. There may be occasions when Board funding is unavailable to provide everything requested by a coach. All booster club donations must be approved by the Superintendent of Schools or his/her designee (Board of Education) in advance to ensure equity in all sports. "Necessary" expenditures must be provided by the Board of Education through its approved budget. Items that would be "nice" or "beneficial" to have are viewed as appropriate for booster club financial support. Any booster club purchase or expenditure must receive the approval of the team's head coach and the Athletic Director following the aforementioned approval by the Superintendent of Schools or his/her designee (Board of Education).

The Board reserves the right to revoke approval of any booster group if it is found that the group's operations and purposes are inconsistent with Board policies.

- (cf. [1110.1](#) - Parental Involvement)
- (cf. [1140](#) - Distribution of Materials by Students)
- (cf. [1210](#) - School Community Associations)
- (cf. 1323 - Gifts to Students)
- (cf. [1330](#) - Use of School Facilities)
- (cf. [3280](#) - Gifts, Grants and Bequests)
- (cf. 3281 - School Fund Raising)
- (cf. [3515](#) - Community Use of School Facilities)

Legal Reference: Title IX of the Educational Amendments of 1972, 20 U.S.C.A § 1681.

Policy adopted:

Students

Search and Seizure

Introduction

Exercise of the school system's right to search a student's possessions, desk or locker involves the recognition of the need to protect the individual's rights and the need to maintain a safe and orderly environment in the school. As with all decisions involving this balance, administrative judgment must be exercised. The Supreme Court has established a two-fold standard to weigh whether fourth-amendment protections are being upheld in searches conducted by school officials.

The first prong of the test is the standard of "reasonable suspicion" that the student has violated the law or school rules and that contraband* will be found.

For example, reasonable suspicion may be said to exist if the administrator actually sees the student with the contraband or when it is reported by a reliable eyewitness or informant.

The second prong requires that the search be conducted in such a manner as "not to be excessively intrusive in light of the age and sex of the student and the nature of the infringement."

For example, a search of a locker or desk, which is property owned by the school, is less intrusive than search of a student's briefcase or gym bag. Search of the briefcase or gym bag is less intrusive than search of a purse; search of a purse is less intrusive than search of a student's pockets. In terms of the nature of the infringement, a search for a dangerous substance would justify a more intrusive search than for a missing pen, etc.

Limitations on Searches

No strip searches: Searches that involve removal of any clothing other than an outer garment, (i.e., coat, jacket or sweater worn over another shirt, blouse, dress etc.) hat, shoes, gloves, etc., are not permitted. Searches that involve touching or inspecting the body or "pat downs" are not permitted. If the administrator believes such a search is warranted by the magnitude of a suspected criminal offense and the nature of the circumstances, local law enforcement officials shall be contacted and efforts will be made to contact the student's parents. The Superintendent will be notified as soon as possible, and kept informed.

No mass searches: Reasonable suspicion must point specifically toward an individual or a particular group or their property.

Police need Warrants: No law enforcement officer may conduct a search of a student's desk, locker or automobile unless a valid search warrant has been obtained and presented to school authorities.

Searches in School

Searches during school hours may be conducted only by the Principal or another administrator (i.e., Vice Principal or Dean) acting as the Principal's authorized designee. After school hours, or at other times if no administrator is in the building, the staff member in charge of the activity is considered to be the authorized official.

An administrator may search a student's locker, desk, property (e.g., purse, gym bag, lunch box, briefcase, etc.) or automobile on school grounds, and may have a student empty his or her pockets, or remove shoes, hat, gloves or outer garment (i.e. overcoat, jacket, sweater, etc. worn as second layer over another shirt, blouse, sweater dress etc.)

Searches of a locker, desk, automobile or other property are to be conducted in the presence of the student whenever possible, and at least two observers, one of who must be the same sex as the student.

The administrator should make a written record of the search. Records are handled in accordance with Board Policy 5125, Student Records.

Parents will be notified whenever a search is undertaken and will be given a copy of the written record of the results of the search.

An administrator who has a question about whether a search is appropriate, should consult with the Superintendent of Schools before conducting the search. All searches should be reported to the Superintendent as soon afterward as is feasible and the Superintendent should be kept informed of ensuing proceedings.

Searches Off School Grounds

Any search of a student or a student's property or a room in which the student is staying that may occur during a school activity off school grounds shall be governed by these procedures. Such searches may not be conducted by parents or chaperones, but must be done by a school official. (If no administrator is present, the teacher in charge of the activity is considered to be the authorized school official.)

Written notice of this provision is to be included with information given to students and parents about the off-campus activity.

Notification

Students will be provided annual notice of these procedures through publication in the student handbook and/or other means.

Exceptions

Exceptions to the provisions of this policy are permissible in cases of life-threatening emergency or a situation where immediate danger to a student or to the school community exists.

***Contraband defined as:** alcohol, controlled drugs or other intoxicating substances; poison or other harmful substances; flammables, firecrackers or other explosives; firearms or other weapons; and stolen property.

Legal Reference: Connecticut General Statutes

[10-221](#) Boards of education to prescribe rules

New Jersey v. T.L.O., 469 US 325; 105 S.CT.733

Policy adopted: June 2, 1988



Students

Search and Seizure

The Board seeks to ensure a learning environment which protects the health, safety and welfare of students and staff. To assist the Board in attaining these goals, District officials may, subject to the requirements below, search a student's person and property, including property assigned by the District for the student's use. Such searches may be conducted at any time on District property or when the student is under the jurisdiction of the District at school-sponsored activities.

All searches for evidence of a violation by the District shall be subject to the following requirements:

1. The District official shall have individualized, "*reasonable suspicion*" to believe evidence of a violation of law, Board policy, administrative regulation or school rule is present in a particular place;
2. The search shall be "*reasonable in scope*." That is the measures used are reasonably related to the objectives of the search and not excessively intrusive in light of the age, sex, maturity of the student and nature of the infraction.
3. District officials may also search when they have reasonable information that emergency/dangerous circumstances exist.

Desks and School Lockers

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

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

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

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

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

Student Search

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

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

Strip searches shall not be conducted by school authorities. All searches by the Principal or his/her designee shall

be carried out in the presence of another adult witness.

Alternate position regarding strip searches:

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat or jacket. If the Principal or his/her designee believes it is necessary to conduct a strip search of a student, the school official may do so only if the search is authorized in advance by the Superintendent or the District's attorney. The only exception to this rule requiring advanced authorization is when the school official believes there is an emergency situation that could threaten the safety of the student or others.

Strip searches may only be conducted by an authorized school official of the same sex as the student being searched and in the presence of another District professional employee who is also of the same sex as the student. In every case, the school official conducting a strip search must have probable cause, not simply reasonable cause, to believe the student is concealing evidence of a violation of law or District policy or rules. In addition, before conducting a strip search, the school official must consider the nature of the alleged violation, the student's age, the student's record and the need for such a search. Prior to conducting a strip search, the Principal or his/her designee shall consider whether the contraband sought poses an element of dangerousness and if there is any indication that the contraband is being secreted in the specific place to be searched.

School officials will attempt to notify the student's parent by telephone before conducting a strip search, or in writing after the fact if the parent was unable to be reached by telephone.

Legal Reference: Connecticut General Statutes

[10-221](#) Boards of Education to prescribe rules

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

Safford Unified School District #1 v. Redding (U.S. Sup. CT 08-479)

Policy adopted:

**Series 5000
Students**

POLICY REGARDING SEARCH AND SEIZURE

1. Search of a Student and the Student's Effects
 - A. Fourth Amendment rights to be free from unreasonable searches and seizures apply to searches conducted by public school officials. A student and his/her effects may be searched if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. The way the search is conducted should be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

2. Search of a Locker, Desk and Other Storage Area
 - A. Lockers, desks and other storage areas provided by the school system for use by students are the property of the school system. Such storage areas are provided for the temporary convenience of students only. The Board of Education authorizes the administration and/or law enforcement officials to search lockers and other school property available for use by students for the presence of weapons, contraband or the fruits of a crime if there are reasonable grounds at the inception of the search for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. Moreover, the scope of the search shall be reasonably related to the objectives of the search and shall not be excessively intrusive in light of the age and sex of the student and the nature of the infraction.

 - B. If the school administration reasonably suspects that a pupil is not maintaining a locker or other storage area assigned to him/her in a sanitary condition, or that the storage area contains items the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of the student or others, it has the right to open and examine the storage area and to seize any such items that are found.

- C. When required by law and otherwise at the option of the building principal, items that have been seized shall be submitted to the police department for proper disposition. Items not submitted to the police department shall be disposed of as directed by the building principal.
- 3. The decision to search shall be made by the principal or the principal's designee. The search shall be made in the presence of at least one witness. Discovery of illegal or dangerous materials shall be reported to the Office of the Superintendent.

Use of drug-detection dogs and metal detectors, similar detective devices; and/or breathalyzers and other passive alcohol screening devices may be used only on the express authorization of the Superintendent, in accordance with such procedures as the Superintendent may devise.

Legal References:

Conn. Gen. Stat. §10-221
Conn. Gen. Stat. § 54-33n, Searches

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

ADOPTED: _____
REVISED: _____

7/11/16

Personnel - Certified

Social Networking By Staff

The Board of Education recognizes the importance of social media for its employees, and acknowledges that its employees have the right under the First Amendment, in certain circumstances, to speak out on matters of public concern. In accordance with the provisions of the First Amendment, the Board will regulate the use of social media by employees, including employees' personal use of social media, when such use:

- 1) Interferes, disrupts or undermines the effective operation of the school district;
- 2) is used to engage in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications ;
- 3) creates a hostile work environment;
- 4) breaches confidentiality obligations of school district employees, or
- 5) violates the law, board policies and/or other school rules and regulations.

The Board of Education, through its Superintendent, will adopt and maintain administrative regulations to implement this policy.

Legal References:

U.S. Constitution, Amend. I

Conn. Constitution, Article I, Sections 3, 4, 14

Conn. Gen. Stat. § [31](#)-48d

Conn. Gen. Stat. § [31](#)-51q

Conn. Gen. Stat. §§ [53a](#)-182; [53a](#)-183; [53a](#)-250

Electronic Communication Privacy Act, 28 U.S.C. §§ 2510 through 2520

ADOPTED: September 10, 2012

**Series 4000
Personnel**

SOCIAL MEDIA

The Board of Education recognizes the importance and utility of social media and networks for its employees. The laws regarding social media continue to evolve and change. Nothing in this policy is intended to limit an employee's right to use social media or personal online accounts under applicable law, as it may evolve. The Board acknowledges, for example, that its employees have the right under the First Amendment, in certain circumstances, to speak out on matters of public concern. The Board will resolve any conflict between this policy and applicable law in favor of the law.

Ordinarily, the use of social media by employees, including employees' use of personal online accounts, will not be a legal or policy issue. While a policy cannot address every instance of inappropriate social media use, employees must refrain from social media use that:

- 1) interferes, disrupts or undermines the effective operation of the school district;
- 2) is used to engage in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications;
- 3) creates a hostile work environment;
- 4) breaches confidentiality obligations of school district employees; or
- 5) violates the law, board policies and/or other school rules and regulations.

The Board of Education, through its Superintendent, will adopt and maintain administrative regulations to implement this policy.

Legal References:

U.S. Constitution, Amend. I

Conn. Constitution, Article I, Sections 3, 4, 14

Conn. Gen. Stat. § 31-40x

Conn. Gen. Stat. § 31-48d

Conn. Gen. Stat. § 31-51q

Conn. Gen. Stat. §§ 53a-182; 53a-183; 53a-250

Electronic Communication Privacy Act, 28 U.S.C. §§ 2510 through 2520

ADOPTED: _____

REVISED: _____

7/5/16



Personnel - Certified/Non-Certified

Rights, Responsibilities and Duties

Social Networking

The Board of Education (Board) has a strong commitment to quality education and the well-being of all students, as well as the preservation of the school district's reputation. The Board believes staff members must establish and maintain public trust and confidence and be committed to protecting all students attending the school district. In support of the Board's strong commitment to the public's trust and confidence, the Board holds all staff members to the highest level of professional responsibility.

Inappropriate conduct outside a staff member's professional responsibilities may determine them as unfit to discharge the duties and functions of their position. Staff members should be advised communications, publications, photographs, and other information appearing on social networking sites deemed inappropriate by the Board could be cause for discipline up to and including termination of employment consistent with state and federal law.

Staff members are advised to be concerned and aware such conduct deemed inappropriate may include, but is not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other form of electronic communication that is directed and/or available to students or for public display or publication.

While the Board respects the right of staff members to use social networking sites, staff members should recognize they are held to a higher standard than the general public with regard to standards of conduct and ethics. It is important that a staff member's use of these sites does not damage the reputation of the school district, employees, students, or their families. Staff members who utilize, post or publish images, photographs, or comments on social networking sites, blogs, or other forms of electronic communication outside their professional responsibilities shall ensure their use, postings, or publications are done with an appropriate level of professionalism and are appropriate conduct for a school staff member. Staff members should exercise care in setting appropriate boundaries between their personal and public online behavior, understanding that what is private in the digital world often has the possibility of becoming public even without their knowledge or consent.

The school district strongly encourages all staff members to carefully review the privacy settings on social networking sites they use and exercise care and good judgement when posting content and information on such sites. Staff members should adhere to the following guidelines, which are consistent with the District's workplace standards on harassment, student relationships, conduct, professional communication, and confidentiality.

When using personal social networking sites, school staff members:

1. Should not make statements that would violate any of the district's policies, including its policies concerning discrimination or harassment;
2. Must uphold the district's value of respect for the individual and avoid making defamatory statements about the school district, employees, students, or their families;
3. May not disclose any confidential information about the school district or confidential information obtained during the course of his/her employment, about any individual(s) or organization, including students and/or their families;
4. Shall not use social networking sites to post any materials of a sexually graphic nature;
5. Shall not use social networking sites to post any materials which promote violence;
6. Shall not use social networking sites which would be detrimental to the mission and function of the

District;

7. Are prohibited from using their school district title as well as adding references to the District in any correspondence including, but not limited to, e-mails, postings, blogs, and social networking sites unless the communication is of an official nature and is serving the mission of the district. This prohibition also includes signature lines and personal e-mail accounts;

8. Shall not post updates to their status on any social networking sites during normal working hours including posting of statements or comments on the social networking sites of others during school time unless it involves a school project. Employees must seek approval from the Superintendent of Schools or his/her designee for such use; and

9. Shall not post or publish any information the Superintendent would deem to be inappropriate conduct by a school staff member.

The Policy of this district is to maintain a level of professionalism both during and after the school day. Any publication through any means of electronic communication which is potentially adverse to the operation, morale, or efficiency of the District, will be deemed a violation of this Policy. If the Board or Superintendent believes that a staff member's activity on any social networking site violates the District's policies, the Board or Superintendent may request that the employee cease such activity. Depending on the severity of the incident, the staff member may be subject to disciplinary action.

This Policy has been developed and adopted by this Board to provide guidance and direction to staff members on how to avoid actual and/or the appearance of inappropriate conduct toward students and/or the community while using social networking sites.

(cf. [4118.24/4218.24](#) - Staff/Student Non-Fraternization)

(cf. [4118.4/4218.4](#) - E-Mail - Electronic Monitoring)

(cf. [4118.5/4218.5](#) - Acceptable Computer Network Use)

(cf. [4131](#) - Staff Development)

(cf. [5125](#) - Student Records)

(cf. [6141.32](#) - Computer Literacy)

(cf. [6141.321](#) - Student Acceptable Use of the Internet)

(cf. [6141.322](#) - Websites/Pages)

(cf. [6141.323](#) - Internet Safety Policy/Filtering)

Legal References: Connecticut General Statutes

The Freedom of Information Act

[53A](#)-182B Harassment in the first degree.

[31](#)-48d Employees engaged in electronic monitoring required to give prior notice to employees. Exceptions. Civil penalty.

United States Code, Title 20

675 1-6777 Enhancing Education Through Technology Act, Title II, Part D, especially: 6777 Internet safety

United States Code, Title 47

254 Universal service discounts (E-rate)

Code of Federal Regulations, Title 47

54.520 Internet safety policy and technology protection measures, E-rate discounts

U.S. Constitution, 1st Amendment

Connecticut Constitution, Article 1, Sections 3, 4, 14

Policy adopted:

Business/Non-Instructional Operations

School Activity Funds

Student activity funds in the Westport Public Schools shall be established and maintained in accordance with state statutes.

The Assistant Superintendent for Business or his/her designee, shall have the responsibility and authority to implement through the Principals all policies and rules pertaining to the supervision and administration of student activity funds.

The Principal of the individual school shall be designated as treasurer of this account. A bookkeeper shall be designated to keep accounts.

Disbursements shall be authorized by the Principal upon receipt of properly approved vouchers. The signatures of the Principal and the bookkeeper shall validate checks.

Legal Reference: Connecticut General Statutes

[10-237](#) School activity funds.

Policy adopted: March 2007



Business and Non-Instructional Operations

Student Activity Funds

One student activity account/fund shall be maintained for each Ansonia school. These accounts will be maintained in accordance with Section 10-237 of the Connecticut General Statutes. Each school's student activity account/fund will be managed/administered in the Board of Education central office.

The Principal will be designated as the account Treasurer in accordance with Section 10-237. He/she shall establish regulations governing the collection and dispersion of all funds as well as cash and bank statement reconciliation. Such regulations, following review of the City auditor, shall be submitted to the Business Manager for approval and enactment.

Sub-accounts shall be maintained for each student activity as by the approved Board of Education and a general cumulative account ledger shall also be maintained for handling funds collected in the name of the school.

A class in its senior year, or an organization that is disbanding, shall determine at a regularly-called meeting, its preference for the disposition of any funds remaining after all financial obligations have been discharged. Such disposition shall be subject to the review and approval of the administration. Any sums of money expended and for which no disposition has been made shall be transferred to the education affairs account of the school activity fund after the first class reunion or the organization has disbanded.

Gifts, grants, and bequests in cash or checks shall be deposited in the student activity fund and used for the educational benefit of students.

The accounts of the student activity fund shall be considered BOE accounts and audited in the same manner as all other BOE accounts.

Legal Reference: Connecticut General Statutes

[10-237](#) School activity funds

Policy adopted:

Community Relations

~~Smoke Free Environment~~ Prohibition Against Smoking

The Westport Board of Education ~~recognizes the deleterious health effect of smoking, and second-hand smoke. The Board also recognizes that adults should be providing positive role models for students. Therefore, the Board of Education prohibits any student or adult smoking on school property or at school-sponsored events at any time. The Board of Education is supportive of a system-wide educational campaign, about the harmfulness of smoking, and of programs of assistance to help smokers cure the habit.~~ (“Board”) prohibits smoking, including smoking using an electronic nicotine delivery system (e.g., e-cigarettes) or vapor product, within any of its schools, including any indoor facility owned or leased or contracted for, and utilized by the Board for the provision of routine or regular kindergarten, elementary, or secondary education or library services to children, or on the grounds of such school, or at any school-sponsored activity. For purposes of this policy, the term “electronic nicotine delivery system” shall mean an electronic device used in the delivery of nicotine or other substances to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, including, but not limited to, electronic cigarette liquid. The term “vapor product” shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine and is inhaled by the user of such product. The term “school-sponsored activity” shall mean any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.

The Board further prohibits smoking including smoking using an electronic nicotine delivery system (e.g., e-cigarettes) or vapor product on the real property of any administrative office building. Real property means the land and all temporary and permanent structures comprising the district’s administrative office building(s) and includes, but is not limited to storage facilities and parking lots.

~~**Students:** Students are not permitted to smoke at any time, or be in possession of any tobacco products, or non-tobacco smoking products in school buildings, on school grounds, on school buses, vans or any school provided transportation, or at any school sponsored activity.~~

~~**Staff and Other Adults:** Staff and other adults are not permitted to smoke at any time in school buildings, on school grounds, on school buses, vans or any school provided transportation, or at any school sponsored activity. Smoking is prohibited in any offices assigned to, or public reception areas used by Board of Education personnel, and at public meetings held under the aegis of the Board of Education.~~

~~**Definition:** As used herein, “smoke” or “smoking” means the lighting or carrying of a lighted cigarette, cigar or pipe or similar device.~~

It is the policy of the Town of Westport to prohibit smoking on all Town premises in order to provide and maintain a safe and healthy work environment for all employees and visitors. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind." This will also apply to e-cigarettes.

The smoke-free workplace policy applies to:

- All areas of buildings occupied by Town employees.
- All Town-sponsored off-site conferences and meetings.
- All vehicles owned or leased by the Town.
- All visitors (customers and vendors) to Town premises.
- All contractors and consultants and/or their employees working on Town premises.
- All temporary employees.
- All seasonal employees
- All student interns.

Smoking is permitted in the parking lots and other open areas, but not within 25 feet from any building entrance.

(cf. 1120 Board of Education Meetings)

(cf. 1330 Use of School Facilities)

(cf. 4118.231/4218.231 Employee Smoking, Drinking, and Use of Drugs on School Premises)

(cf. 5131.6 Drugs, Tobacco, and Alcohol)

Legal Reference: ~~Connecticut General Statutes~~

Public Act 19-13

Conn. Gen. Stat. § 10-233a(h)

Conn. Gen. Stat. § 19a-342 ~~Smoking prohibited in certain places. Signs required. Penalties.~~

Conn. Gen. Stat. § 19a-342a

Conn. Gen. Stat. § 53-344b

Pro-Children Act of 2001, Pub. L. 107-110, 115 Stat. 1174, 20 U.S.C. § 718321a-242 ~~Schedules of controlled substances.~~

Clean Indoor Air Act CGS § 1-21b, as amended by PA 93-304

Policy adopted:
Policy modified:
[Amended:](#)

April 4, 1997
August 20, 2001

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

[SCHOOL DISTRICT LETTERHEAD]

**EDUCATIONAL STABILITY PROCEDURES FOR TRANSPORTATION
COORDINATION WITH THE DEPARTMENT OF CHILDREN AND FAMILIES**

I. APPLICATION OF PROCEDURES

These procedures apply to circumstances when a child who is a resident of the [] Public Schools (the “District”), or is otherwise the responsibility of the District, is placed in foster care, or moved to a new foster care placement by the Department of Children and Families (“DCF”), is placed by DCF pursuant to a 96-hour hold or an order of temporary custody, or is committed to DCF as neglected, abused or uncared for, and DCF has determined that it is in the best interest of the child to remain in the District’s school (“school of origin”) in accordance with 20 U.S.C. § 6312, Every Student Succeeds Act (“ESSA”), and/or Conn. Gen. Stat. § 17a-16a, Educational Stability.

II. COLLABORATION

The District has collaborated with DCF to develop these procedures, as required by 20 U.S.C. § 6312, ESSA.

III. NOTIFICATION

- A. DCF is required to notify the District by phone or email immediately upon learning that a child has had a change in foster care placement, been placed in out-of-home care pursuant to a 96-hour hold or an order of temporary custody, or is committed to DCF as neglected, abused or uncared for and it has been determined that it is in the child’s best interested to remain in the school of origin.
- B. DCF is required to orally notify the District of DCF placement of a child within one (1) business day of such placement, and is further required to provide the District with a Form 603 concerning such DCF placement of a child within two (2) business days of the placement to document this information.
- C. The District shall permit the child to continue to attend his/her school of origin upon receiving such verbal and/or written information from DCF.

IV. TRANSPORTATION OPTIONS

- A. The District and DCF will collaborate to select cost-effective, reliable and safe transportation for children to their schools of origin, in accordance with these procedures.
- B. For children eligible under the Individuals with Disabilities Education Act (“IDEA”) or Section 504 of the Rehabilitation Act (“Section 504”), the District will assess whether the child receives transportation as a related service as documented in the child’s Individualized Education Program (IEP) or Section 504 Plan, and will notify DCF of the result of such assessment. If the child’s IEP or Section 504 includes transportation as a related service, the District shall provide such transportation, albeit from the new home placement determined by DCF.
- C. For students not eligible under the IDEA or Section 504, the District and DCF will examine existing transportation options available for the child, including incorporating the child into an existing bus route, modifying an existing bus route and other no-cost or lost-cost options.
- D. In all cases, District shall not be responsible for any transportation costs over the amount the District would otherwise pay for the child if the child’s home placement had not been changed by DCF.

V. COORDINATION OF TRANSPORTATION

- A. DCF and the District will collaborate regarding the logistics of which agency shall coordinate the school of origin transportation and which agency shall reimburse the other (and how) for either the initial cost (borne by the District) or additional cost (borne by DCF) due to the placement or re-placement made by DCF.
- B. Under no circumstances shall the District be required to fund transportation costs in excess of the transportation costs the District would otherwise fund if the child’s home placement had not be changed by DCF.

VI. TIMELINE

DCF and the District finalize the transportation services for the child within five (5) school days after DCF has informed the District of the best interest determination. In the interim, DCF will ensure that transportation is provided to permit the student to remain in the school of origin.

VII. RESOLUTION

In the event that the District and DCF cannot come to an agreement concerning either the logistics of arranging transportation services or the payment/reimbursement therefore, either agency may seek guidance on the relevant responsibilities under the ESSA and Connecticut law and regulations from the Connecticut State Department of Education.

Legal Resources:

20 U.S.C. § 6312, Every Student Succeeds Act (“ESSA”)

Conn. Gen. Stat. § 17a-16a

Students

Reporting of Child Abuse, Neglect and Sexual Assault

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

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

(cf. 4112.6/4212.6 – Personnel Records)

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

Legal Reference: Connecticut General Statutes

10-220a Inservice training. Professional development committees. Institutes for educators. Cooperating teacher program, regulations (as amended by PA 11-93)

10-221d Criminal history records check of school personnel. Fingerprinting. Termination or dismissal (as amended by PA 11-93)

10-221s Investigations of child abuse and neglect. Disciplinary action. (as amended by PA 16-188)

17a-28 Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations (as amended by PA 11-93)

17a-101 Protection of children from abuse. Mandated reporters. Educational and training program. Model mandated reporting policy. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242, PA 11-93 and PA 15-205, PA 18-15 and PA 18-17)

17a-101a Report of abuse, neglect by or injury of child or imminent risk of serious harm to the child. Penalty for failure to report. Notification of Chief State's Attorney. (as amended by PA 02-106, PA 11-93, and PA 15-205, PA 18-15 and PA 18-17)
17a-102 Report of danger of abuse. (as amended by PA 02-106)

17a-101b Report by mandated reporters. Notification of law enforcement agency when allegation of sexual abuse or serious physical abuse. Notification of person in charge of institution, facility or school when a staff member suspected of abuse or neglect.

17a-101c Written or electronic report by mandated reporter.

17a-101d Contents of reports.

17a-101e Employer prohibited from discriminating or retaliating against employee who makes a good faith report or testifies re child abuse or neglect. Immunity from civil or criminal liability. False report of child abuse. Referral to Office of the Chief State’s Attorney. Penalty.

17a-101g Classification and evaluation of reports. Determination of abuse or neglect of child. Investigation. Notice, entry of recommended finding. Referral to local law enforcement authority. Home visit. Removal of child in imminent risk of harm. Family assessment response program. Development of service plans and plans of care. Monitoring. Disclosure of information to community providers. Annual report.

17a-101i Abuse or neglect by school employees or staff member of public or private institution or facility providing care for children. Notice. Adoption of policy. Employee training program.

17a-101o School employee failure or delay in reporting child abuse or neglect. Policy re delayed report by mandated reporters.

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

10-151 Teacher Tenure Act

DCF Policy 22-1-3 Mandated Reporter’s Failure to Report

Policy adopted:

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Students

Health Assessments and Immunizations

The Board of Education recognizes the importance of periodic health assessments, including oral assessments, according to state health regulations.

To determine health status of students, facilitate the removal of disabilities to learning and find whether some special adaptation of the school program may be necessary, the Board of Education requires that students have health assessments.

The Board of Education adheres to those state laws and regulations that pertain to school immunizations and health assessments, including oral health assessments. It is the policy of the Board of Education to insure that all enrolled students are adequately immunized against communicable diseases. The Board may deny continued attendance in school to any student who fails to obtain the health assessments required under C.G.S. 10-206, as may be periodically amended.

The Superintendent shall designate the school nurse to receive reports of health assessments and immunizations from health care providers.

Parents wishing their children exempted or excused from health assessments, on religious grounds, must request such exemption to the Superintendent of Schools or designee in writing. This request must be signed by the parent/guardian.

Parents/guardians wanting their children excused from immunizations on religious grounds (prior to enrollment and grade 7 entry) must request such exemption in writing, using State of Connecticut Department of Public Health Religious Exemption Statement form, to the school nurse, if such immunization is contrary to the religious beliefs of the child or of the parent/guardian of the child. The request must be officially acknowledged by a notary public or a judge, a clerk or deputy clerk of a court having a seal, a town clerk, a justice of the peace, or a Connecticut-licensed attorney.

It is the responsibility of the Principal to ensure that each student enrolled has been adequately immunized and has fulfilled the required health assessments. The school nurse shall check and document immunizations and health assessments on all students enrolling in school and to report the status to the school principal. The school nurse shall also contact parents or guardians to make them aware if immunizations and/or health assessments are insufficient or not up-to-date. The school nurse will maintain in good order the immunization and health assessment records of each student enrolled.

The school nurse who is required to verify the immunization status for children enrolled in District schools, pre-K to grade 12, inclusive, pursuant to C.G.S. 10-204a, shall be provided with sufficient information on the children living within his/her jurisdiction and is listed on the Department of Public Health's registry of immunization status. The school nurse is authorized to determine which children in their jurisdiction are overdue for scheduled immunizations and provide outreach to help get them vaccinated.

Students born, traveling, and /or residing for at least one month in a country other than the United States, Canada, Australia, New Zealand, or a country in western or northern Europe and entering school in Connecticut for the first time, should receive either TST (tuberculin skin test) or IGRA (interferon-gamma release assay). Any individual found to be positive shall have an appropriate medical management plan developed that includes a chest radiograph.

Students not already known to have a positive test for tuberculosis should be tested if they meet any of the risk factors for TB infection, such as immunosuppression, current or planned or close contact to someone with infectious TB disease.

No record of any student's medical assessment may be open to the public.

As required, the District will report, beginning in October 2017, on a triennial basis, to the Department of Public Health and to the local Health Director the asthma data, pertaining to the total number of students per school and for the district, obtained through the required asthma assessments, including student demographics. Such required asthma diagnosis shall occur at the time of mandated health assessment at the time of enrollment, in grade six or seven, and in grade ten or eleven. Such asthma diagnosis shall be reported whether or not it is recorded on the health assessment form, at the aforementioned intervals. The District, as required, will also participate in annual school surveys conducted by the Department of Public Health pertaining to asthma.

As required, the District will annually report to the Department of Public Health information required on the School Immunization Entry Survey.

The Superintendent of Schools or his/her designee shall give written notice to the parent/guardian of each student who is found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease and a recommendation that the student be examined by an appropriately licensed optometrist or ophthalmologist.

Note: PA 18-168 requires boards of education to request that students have an oral health assessment prior to public school enrollment, in grade 6 or 7, and in grade 9 or 10. The legislation establishes related requirements on providers authorized to perform the assessments, parental consent assessment forms, and records access. The specifics are detailed in the administrative regulation pertaining to this policy.

(cf. 5111 - Admission)

(cf. 5125 - Student Records)

(cf. 5135.11 - Health/Medical Records - HIPAA)

Legal Reference: Connecticut General Statutes

10-204a Required immunizations (as amended by P.A. 15-174 and P.A. 15-242)

10-204c Immunity from liability

10-205 Appointment of school medical adviser

10-206 Health assessments (as amended by PA 17-146 and PA 18-168)

10-207 Duties of medical advisors

10-206a Free health assessments

10-208 Exemption from examination or treatment

10-208a Physical activity of student rest cites; board to hone notice

10-209 Records not to be public. Provision of reports to school.

10-212 School nurses

10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results (as amended by PA 17-173)

Department of Public Health, Public Health Code, 10-204a-2a, 10-204a-3a, 10-204a-4

Section 4 of PA 14-231

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

P.L. 93-568; codified as 20 U.S.C. 1232g

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

PA 17-146 "An Act Concerning the Department of Public Health's Various Revisions to the Public Health Statutes," Section 5, effective 10/1/17

PA 18-168 An Act Concerning the Department



Students

Health Assessments and Immunizations

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To determine health status of students, facilitate the removal of disabilities to learning and find whether some special adaptation of the school program may be necessary, the Board of Education requires that students have health assessments.

The Board of Education adheres to those state laws and regulations that pertain to school immunizations and health assessments, including oral health assessments. It is the policy of the Board of Education to insure that all enrolled students are adequately immunized against communicable diseases. The Board may deny continued attendance in school to any student who fails to obtain the health assessments required under C.G.S. [10-206](#), as may be periodically amended.

The Board of Education shall annually designate a representative to receive reports of health assessments and immunizations from health care providers. (or: The Superintendent shall designate the school nurse to receive reports of health assessments and immunizations from health care providers.)

Parents wishing their children exempted or excused from health assessments, on religious grounds, must request such exemption to the Superintendent of Schools in writing. This request must be signed by the parent/guardian.

Parents/guardians wanting their children excused from immunizations on religious grounds (prior to kindergarten entry and grade 7 entry) must request such exemption in writing to the Superintendent of Schools if such immunization is contrary to the religious beliefs of the child or of the parent/guardian of the child. The request must be officially acknowledged by a notary public or a judge, a clerk or deputy clerk of a court having a seal, a town clerk, a justice of the peace, a Connecticut-licensed attorney or a school nurse.

It is the responsibility of the Principal to insure that each student enrolled has been adequately immunized and has fulfilled the required health assessments. The school nurse shall check and document immunizations and health assessments on all students enrolling in school and to report the status to the school principal. The school nurse shall also contact parents or guardians to make them aware if immunizations and/or health assessments are insufficient or not up-to-date. The school nurse will maintain in good order the immunization and health assessment records of each student enrolled.

Optional: The school nurse who is required to verify the immunization status for children enrolled in District schools, pre-K to grade 12, inclusive, pursuant to C.G.S. [10-204a](#), shall be provided with sufficient information on the children living within his/her jurisdiction and is listed on the Department of Public Health's registry of immunization status. The school nurse is authorized to determine which children in their jurisdiction are overdue for scheduled immunizations and provide outreach to help get them vaccinated.

Students born in high risk countries and entering school in Connecticut for the first time, should receive either TST (tuberculin skin test) or IGRA (interferon-gamma release assay). Any individual found to be positive shall have an appropriate medical management plan developed that includes a chest radiograph.

Students not already known to have a positive test for tuberculosis should be tested if they meet any of the risk factors for TB infection, as described in the administrative regulations accompanying this policy.

No record of any student's medical assessment may be open to the public.

As required, the District will report, beginning in October 2017, on a triennial basis, to the Department of Public Health and to the local Health Director the asthma data, pertaining to the total number of students per school and for the district, obtained through the required asthma assessments, including student demographics. Such required asthma diagnosis shall occur at the time of mandated health assessment at the time of enrollment, in either grade

six or seven, and in grade ten or eleven. Such asthma diagnosis shall be reported whether or not it is recorded on the health assessment form, at the aforementioned intervals. The District, as required, will also participate in annual school surveys conducted by the Department of Public Health pertaining to asthma.

As required, the District will annually report to the Department of Public Health information required on the School Immunization Entry Survey.

The Superintendent of Schools shall give written notice to the parent/guardian of each student who is found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease and a recommendation that the student be examined by an appropriately licensed optometrist or ophthalmologist.

Note: PA 18-168 requires boards of education to request that students have an oral health assessment prior to public school enrollment, in grade 6 or 7, and in grade 9 or 10. The legislation establishes related requirements on providers authorized to perform the assessments, parental consent assessment forms, and records access. The specifics are detailed in the administrative regulation pertaining to this policy.

(cf. [5111](#) - Admission)

(cf. 5141.31 - Physical Examinations for School Programs)

(cf. [5125](#) - Student Records)

(cf. 5135.11 - Health/Medical Records - HIPAA)

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

Legal Reference: Connecticut General Statutes

[10- 204a](#) Required immunizations (as amended by P.A. 15-174 and P.A. 15-242)

[10-204c](#) Immunity from liability

[10-205](#) Appointment of school medical adviser

[10- 206](#) Health assessments (as amended by PA 17-146 and PA 18-168)

[10-207](#) Duties of medical advisors

[10-206a](#) Free health assessments(

[10-208](#) Exemption from examination or treatment

[10-208a](#) Physical activity of student restricted; board to honor notice

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

[10-212](#) School nurses

[10-214](#) Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results. (as amended by PA 17-173)

Department of Public Health, Public Health Code, 10-204a-2a, 10-204a-3a, 10-204a-4

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

PA 17-146 "An Act Concerning the Department of Public Health's Various Revisions to the Public Health Statutes," Section 5, effective 10/1/17

PA 18-168 An Act Concerning the Department of Public Health's Recommendations Regarding Various Revisions to the Public Health Statutes, Sections 7-9, 539 & 540

Policy adopted: