

Ashford Board of Education
Meeting Minutes – August 23, 2012

7:00 p.m.

Note: Per C.G.S. §10 – 218, Board of Education meeting minutes are provided in a draft format within 48 hours of the date the meeting was held. With the exception of motions and votes recorded, these minutes are unofficial until they have been read and approved by a majority vote of the Board. Should edits be necessary, they will be made at a regularly scheduled meeting, noted in the meeting minutes, and so voted upon.

Call To Order

Chairperson D. Wesson called the meeting to order at 7:06 pm.

Board Present

Present were members D. Wesson, K. Rourke, J. Lippert and K. Warren. Also present were Superintendent Dr. J. Longo, Principal T. Hopkins, Director of Pupil Personnel D. Hartigan, Cafeteria Co-Managers S. Kauffman and K. Samperi, Lead Custodians M. Mellady and W. Squier, and recording secretary J. Barsaleau. In the audience were MEUI representatives D. Atkinson and G. Leedie, and AEA members J. Belair and J. Lindsay. Unable to attend were board members B. Supina, J. Rupert and L. Donegan.

Motion made by K. Warren to move the order of business on the agenda; move items 5a, 6d and 7a to be heard immediately following “Persons to be Heard”. Motion seconded by J. Lippert and carried unanimously.

Persons to Be Heard

None

Committee Reports

(5a) Building & Grounds Follow Up Report (M. Mellady and W. Squier)

Lead custodians M. Mellady and W. Squier presented a brief summary of plans for facility maintenance (attached). Board members engaged in the discussion, sharing items that they would like to see addressed including fence repairs, removal of landscape timbers, playground asphalt repair, bathroom upgrades and a facelift of the front entry hall. The board directs the maintenance and custodial staff to address what they can on a daily/weekly, and if they come across any significant issues or items needing attention that they did not have the resources on hand to take care of, to advise Dr. Longo. The board would like a spreadsheet containing a more detailed list of items, small and large, that need to be addressed within the facility.

(6d) Cafeteria Report

(7a) Old Business – Breakfast Program

Cafeteria co-managers S. Kauffman and K. Samperi presented an updated financial report and August/September menu (attached). May and June reimbursement has not yet been received from the state. The steamer is expected to be delivered later this week or early next week. Discussion followed concerning breakfast program start up. The goal is to begin participation in the national school breakfast program on October 1, 2012. The breakfast program that had run for the past several years is no longer supported by local resources. There will be breakfast available on the first day of school, which the board will support through the end of September 2012, or until the national program can officially be started. Information needs to be disseminated to all members of the school and community about the breakfast program start up in October.

Communications

The board chair received a letter of thanks and acknowledgement of continued membership in C.A.B.E. A letter was received from the first selectman in response to a letter sent by Dr. Longo costs associated with facility upgrades/improvements that were identified during a recent inspection of the school if it is needed to serve as an emergency shelter. The letter places financial responsibility of the cost of the repairs on the board and its budget, however, it also states that the board of selectmen and board of finance would be supportive of appropriating funds should these costs result in the board going over its approved budget as the 2012-2013 FY comes to an end.

Approval of Minutes: 08/09/2012

Motion to approve the special meeting minutes of 08/09/12 made by K. Rourke with the following correction in the attendance area of the call to order, changing the word “was” to “were” in the phrase “...unable to attend”. Motion seconded by D. Wesson and carried unanimously.

Administrative Reports/Summary

a. Superintendent

Dr. Longo's report is attached. Dr. Longo met with the Region #19 superintendents earlier in the day. All of them have agreed to share a common school medical advisor/practice. The current advisor will be notified of this change in writing. Annual school climate surveys were also discussed at this meeting. The superintendent's created a climate survey that will be available online for all parents and guardians, students and staff. People will be able to respond anonymously. The surveys will be available from October 12-19. Mr. Hopkins will be reviewing a power point presentation created by the school administration during his report to follow, which addresses the Superintendent Goals, one of which is a school wide writing program, preferably the Calkins program. Dr. Longo expressed confidence in the current administrative team and it is evident that the team shares a common focus and goals for Ashford School.

b. Principal

Mr. Hopkins reviewed his report to the board (attached) and the content of the power point presentation. Mr. Hopkins spoke of multi-level collaboration, school improvement and climate. He also highly recommended the Calkins writing program be implemented. Teachers will be given copies of Ms. Calkins publication, *Pathways to the Common Core*", which has been an excellent source of information for implementation of the Common Core Standards. Mr. Hopkins also shared his plan to introduce staff to *"Lost at School"*, a book that offers alternative approaches to helping students with behavioral challenges.

c. Director of Pupil Personnel

Mrs. Hartigan provided her report with the board packet. The special education department has purchased several software programs designed to improve student writing and reading abilities. She encouraged members to try a demo of the software available on the Ashford School website. Mrs. Hartigan will be reviewing the policies along with the board that are to be reviewed later in the agenda, as they pertain to federal law and special education requirements.

Old Business

b. YMCA After School Care

A cover letter and flyer outlining the program to be held in Willington was mailed to parents/guardians and noticed by K12 alert on August 14th. Dr. Longo and J. Barsaleau will follow up with the Willington superintendent's office to see if Ashford parents have enrolled or expressed interest in the program.

New Business

a. First Reading: Series 5000 Policies

(Confidentiality; Immunizations; Non-Discrimination; Restraint & Seclusion; Section 504; Student Attendance & Truancy; Student Discipline)

Members had been provided the policies in advance for review. Chair D. Wesson reminded members that the board had previously addressed, as a first reading, all mandated and required policies forwarded by counsel; and these policies may not be altered without permission of legal counsel. With that in mind, the policies listed on this agenda, are actually presented for board approval this evening. The board went over each policy and noted potential grammatical errors and formatting issues.

Motion to approve second reading of the policies presented, pending final review of format and grammatical errors by counsel, made by J. Lippert, seconded by K. Warren and carried unanimously.

b. Request Authorization to Submit Primary Mental Health Grant Application

Motion made by K. Warren to authorize the submission of the Primary Mental Health Grant application, motion seconded by J. Lippert and carried unanimously.

c. Approval of 2012-2013 School Bus Routes

Dr. Longo reported he had met with Joan Celotti earlier in the day and that routes have been updated to absorb the children attending the karate studio for after school care. While Mrs. Celotti will still serve as a driver, she has set a schedule of daily office time in the morning and again late in the afternoon. The number of school bus routes remains the same as last year.

Dr. Longo requested that staff resignation be added to the agenda at this time.

Motion made by K. Warren to add staff resignation to the agenda, seconded by K. Rourke and carried unanimously.

Dr. Longo reported he had received a notice of resignation of Beverly Austin, middle school math teacher.

Motion made by K. Warren to accept the resignation of Beverly Austin, seconded by K. Rourke and carried unanimously.

Next Meeting Date/Agenda Items

The next meeting is scheduled for September 6th and will be a full board meeting, there will be no committee meetings. Agenda items:

Policy Reading

Business Manager Report

Audit

Superintendent Evaluation

Facility Information Follow Up

Report on School Breakfast Program

Adjournment

Motion to adjourn the meeting (9:52 p.m.) made by K. Warren, seconded by J. Lippert and carried unanimously.

Respectfully Submitted,

Jennifer Barsaleau
Recording Secretary

Series 5000
Students

**ADMINISTRATION OF STUDENT MEDICATIONS
IN THE SCHOOLS**

A. Definitions

Administration of medication means the direct application of a medication by inhalation, ingestion, or by any other means to the body of a person.

Authorized prescriber means a physician, dentist, optometrist, advanced practice registered nurse or physician assistant.

Before or After School Program means any educational or recreational program for children administered in any building or on the grounds of any school by a local or regional board of education or other municipal agency before or after regular school hours, or both, but does not include a program that is licensed by the Department of Public Health.

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

Controlled drugs means those drugs as defined in Conn. Gen. Stat. Section 21a-240.

Cumulative health record means the cumulative health record of a pupil mandated by Conn. Gen. Stat. Section 10-206.

Day Camp means any recreational camp operated by a municipal agency.

Error means:

- (1) the failure to do any of the following as ordered:
 - (a) administer a medication to a student;
 - (b) administer medication within the time designated by the prescribing physician;
 - (c) administer the specific medication prescribed for a student;
 - (d) administer the correct dosage of medication;
 - (e) administer medication by the proper route;

- (f) administer the medication according to generally accepted standards of practice; or
- (2) the administration of medication to a student which is not ordered, or which is not authorized in writing by the parent or guardian of such student.

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

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

Medication means any medicinal preparation, both prescription and non-prescription, including controlled drugs, as defined in Conn. Gen. Stat. Section 21a-240. This definition includes Aspirin, Ibuprofen or Aspirin substitutes containing Acetaminophen.

Medication Emergency means an untoward reaction of a student to a medication.

Medication order means the authorization by an authorized prescriber for the administration of medication to a student during school hours for no longer than the current academic year.

Nurse means an advanced practice registered nurse, a registered nurse or a practical nurse licensed in Connecticut in accordance with Chapter 378, Conn. Gen. Stat.

Principal means the administrator in the school.

School means any educational facility or program which is under the jurisdiction of the Board.

School nurse means a nurse appointed in accordance with Conn. Gen. Stat. Section 10-212.

Self administration of medication means that a student is able to identify and select the appropriate medication by size, color, amount, or other label identification; knows the frequency and time of day for which the medication is ordered; and consumes the medication appropriately.

Teacher means a person employed full time by Board who has met the minimum standards as established by Board for performance as a teacher and has been approved by the school medical advisor and school nurse to be designated to administer medications pursuant to the Regulations of Connecticut State Agencies Sections 10-212a-1 through 10-212a-7.

B. General Policies On Administration of Medications

- (1) No medication, including non-prescription drugs, may be administered by any school personnel without:
 - (a) the written medication order of an authorized prescriber; and
 - (b) the written authorization of the student's parent or guardian.
- (2) Prescribed medications shall be administered to and taken by only the person for whom the prescription has been written.
- (3) Medications may be administered only by a licensed nurse; or, in the absence of a licensed nurse, by:
 - (a) a principal, a teacher, a licensed physical or occupational therapist employed by the school district, a coach of intramural and/or interscholastic athletics, or a licensed athletic trainer, who has been properly trained to administer such medications to students. A principal, teacher, licensed physical or occupational therapist employed by the school district, a coach of intramural and/or interscholastic athletics, or a licensed athletic trainer may administer oral, topical, or inhalant medications. Such individuals may administer injectable medications only to a student with a medically diagnosed allergic condition that may require prompt treatment to protect the student against serious harm or death.
 - (b) students who are able to self administer medication, provided all of the following conditions are met:
 - (i) an authorized prescriber provides a written order for such self administration;
 - (ii) there is a written authorization from the student's parent or guardian;
 - (iii) the school nurse has evaluated the situation and deemed it safe and appropriate, has documented this in the student's cumulative health record, and has developed a plan for general supervision;

- (iv) the principal, appropriate teachers, coaches and other appropriate school personnel are informed the student is self administering prescribed medication;
 - (v) such medication is transported to school and maintained under the student's control in accordance with this policy.
- (c) a student diagnosed with asthma who is able to self administer medication shall be permitted to retain possession of an asthmatic inhaler at all times while attending school, in order to provide for prompt treatment to protect such child against serious harm or death, provided all of the following conditions are met:
- (i) an authorized prescriber provides a written order requiring the possession of an inhaler by the student at all times in order to provide for prompt treatment in order to protect the child against serious harm or death and authorizing the student's self-administration of medication, and such written order is provided to the school nurse;
 - (ii) there is a written authorization from the student's parent or guardian regarding the possession of an inhaler by the student at all times in order to protect the child against serious harm or death and authorizing the student's self-administration of medication, and such written authorization is provided to the school nurse;
 - (iii) the conditions for self-administration meet any regulations as may be imposed by the State Board of Education in consultation with the Commissioner of Public Health.
- (d) a student diagnosed with an allergic condition who is able to self administer medication shall be permitted to retain possession of an automatic prefilled injection cartridge or similar automatic injectable equipment at all times while attending school, in order to provide for prompt treatment to protect such child against serious harm or death, provided all of the following conditions are met:
- (i) an authorized prescriber provides a written order requiring the possession of an automatic prefilled injection cartridge or similar automatic injectable equipment by the student at all times in order to provide for prompt treatment in order to protect the child against serious harm or death and authorizing the student's self-administration of medication, and such written order is provided to the school nurse;

- (ii) there is a written authorization from the student's parent or guardian regarding the possession of an automatic prefilled injection cartridge or similar automatic injectable equipment by the student at all times in order to protect the child against serious harm or death and authorizing the student's self-administration of medication, and such written authorization is provided to the school nurse;
 - (iii) the conditions for self-administration meet any regulations as may be imposed by the State Board of Education in consultation with the Commissioner of Public Health.
- (e) an identified school paraprofessional, provided medication is administered to a specific student and that all of the following conditions are met:
 - (i) there is written authorization from the student's parents;
 - (ii) medication is administered pursuant to the written order of (A) a physician licensed to practice medicine, (B) an advanced practice registered nurse licensed to prescribe in accordance with section 20-94a of the Connecticut General Statutes, or (C) a physician assistant licensed to prescribe in accordance with section 20-12d of the Connecticut General Statutes; and
 - (iii) a school nurse and a school medical advisor jointly approve and provide supervision to the identified school paraprofessional to administer medication, including, but not limited to, medication administered with a cartridge injector, to a specific student with a medically diagnosed allergic condition that may require prompt treatment in order to protect the student against serious harm or death.
- (d) a director of a school readiness program or a before or after school program, or the director's designee, provided that the medication is administered:
 - (i) only to a child enrolled in such program; and
 - (ii) in accordance with State Board of Education regulations.
- (4) Medications may also be administered by a parent or guardian to his/her own child on school grounds.

C. Documentation and Record Keeping

- (1) Each school where medications are administered shall maintain a medication administration record for each student who receives medication during school hours. This record shall include the following information:
 - (a) the name of the student;
 - (b) the name of the medication;
 - (c) the dosage of the medication;
 - (d) the route of the administration, i.e., oral, topical, inhalant, etc.);
 - (e) the frequency of administration;
 - (f) the name of the authorized prescriber;
 - (g) the date on which the medication was ordered;
 - (h) the quantity received at school;
 - (i) the date the medication is to be reordered (if any);
 - (j) any student allergies to food and/or medication(s);
 - (k) the date and time of each administration or omission, including the reason for any omission;
 - (l) the dose or amount of each medication administered; and,
 - (m) the full legal signature of the nurse or other authorized school personnel administering the medication.
- (2) All records are to be made in ink, and shall not be altered.
- (3) Written orders of authorized prescribers, written authorizations of parent or guardian, and the completed medication administration record for each student shall be filed in the student's cumulative health record.
- (4) Authorized prescribers may make verbal orders, including telephone orders, for a *change* in medication. Such verbal orders may be received only by a school nurse and must be followed by a written order within three (3) school days.
- (5) Medication administration records will be made available to the Connecticut Department of Public Health upon its request.

D. Errors In Medication Administration

- (1) Whenever any error in medication administration occurs, the following procedures shall apply:
 - (a) the person making the error in medication administration shall immediately implement the medication emergency procedures in

this Policy if necessary, and shall immediately notify the school nurse and the authorized prescriber;

- (b) the person making the error in medication administration shall thereafter notify the principal (if the principal was not the person who made the error);
 - (c) the principal shall notify the Superintendent of the Superintendent's designee, who shall thereafter notify the student's parent or guardian, advising of the nature of the error and all steps taken or being taken to rectify the error, including contact with the authorized prescriber and/or any other medical action(s).
- (2) A report shall be completed using the authorized accident/incident report form.
 - (3) Any error in the administration of medication shall be documented in the student's cumulative health record.

E. Medication Emergency Procedures

- (1) Whenever a student has an untoward reaction to administration of a medication, resolution of the reaction to protect the student's health and safety shall be the foremost priority. The school nurse and the authorized prescriber shall be notified immediately, or as soon as possible in light of any emergency medical care that must be given to the student.
- (2) Emergency medical care to resolve a medication emergency includes but is not limited to the following, as appropriate under the circumstances:
 - (a) use of the 911 emergency response system;
 - (b) application by properly trained and/or certified personnel of appropriate emergency medical care techniques, such as cardio-pulmonary resuscitation;
 - (c) administration of emergency medication in accordance with this policy;
 - (d) contact with a poison control center; and
 - (e) transporting the student to the nearest available emergency medical care facility that is capable of responding to a medication emergency.
- (3) As soon as possible, in light of the circumstances, the principal shall be notified of the medication emergency. The principal shall immediately thereafter contact the Superintendent or the Superintendent's designee,

who shall thereafter notify the parent or guardian, advising of the existence and nature of the medication emergency and all steps taken or being taken to resolve the emergency and protect the health and safety of the student, including contact with the authorized prescriber and/or any other medical action(s) that are being or have been taken.

F. Supervision

- (1) The school nurse is responsible for general supervision of administration of medications in the school(s) to which that nurse is assigned.
- (2) The school nurse's duty of general supervision includes, but is not limited to the following:
 - (a) availability on a regularly scheduled basis to:
 - (i) review orders or changes in orders, and communicate these to personnel designated to give administer medication for appropriate follow-up;
 - (ii) set up a plan and schedule to ensure medications are given;
 - (iii) provide training to licensed nursing personnel, principals, teachers, licensed physical or occupational therapists employed by the school district, coaches of intramural and interscholastic athletics, licensed athletic trainers and to identified paraprofessionals designated in accordance with Section B(3)(c), above, which training shall pertain to the administration of medications to students;
 - (iv) support and assist other licensed nursing personnel, principals, teachers, licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics, licensed athletic trainers and identified paraprofessionals designated in accordance with Section B(3)(c), above, to prepare for and implement their responsibilities related to the administration of specific medications during school hours; and,
 - (v) provide consultation by telephone or other means of telecommunications.
 - (b) In addition, the school nurse shall be responsible for:

- (i) implementing policies and procedures regarding the receipt, storage, and administration of medications;
- (ii) reviewing, on a monthly basis, all documentation pertaining to the administration of medications for students;
- (iii) performing work-site observation of medication administration by principals, teachers, licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics, licensed athletic trainers and identified paraprofessionals designated in accordance with Section B(3)(c), above, who have been newly trained to administer medications; and,
- (iv) conducting periodic reviews, as needed, with licensed nursing personnel, principals, teachers, licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics, licensed athletic trainers and identified paraprofessionals designated in accordance with Section B(3)(c), above, regarding the needs of any student receiving medication.

G. Training of School Personnel

- (1) Principals, teachers, licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics, licensed athletic trainers and identified paraprofessionals designated in accordance with Section B(3)(c), above, who are designated to administer medications shall receive training in their safe administration; and only trained principals, teachers, licensed physical or occupational therapist employed by the school district, coaches of intramural and/or interscholastic athletics, licensed athletic trainers and identified paraprofessionals designated in accordance with Section B(3)(c), above, shall be allowed to administer medications.
- (2) Training for principals, teachers, licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics, licensed athletic trainers and identified paraprofessionals designated in accordance with Section B(3)(c), above, shall include, but is not necessarily limited to the following:
 - (a) the procedures for administration of medications, the safe handling and storage of medications, and the required record-keeping;

- (b) the medication needs of specific students, medication idiosyncrasies and desired effects, potential side effects or untoward reactions.
- (3) The Board shall maintain, and annually update, a list of principals, teachers, licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics, licensed athletic trainers and identified paraprofessionals designated in accordance with Section B(3)(c), above, who have been trained in the administration of medications pursuant to this Policy.
- (4) The Board shall provide for an annual review and informational update for principals, teachers, licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics, licensed athletic trainers and identified paraprofessionals designated in accordance with Section B(3)(c), above, trained in administration of medications.

H. Handling, Storage and Disposal of Medications

- (1) All medications, except those approved for transporting by students for self medication must be delivered by the parent, guardian, or other responsible adult to the nurse assigned to the student's school. The nurse shall examine on-site any new medication, medication order and the required authorization to administer form, and shall develop a medication administration plan for the student before any medication is given to the student by any school personnel. No medication shall be stored at a school without a current written order from an authorized prescriber.
- (2) All medications, except those approved for keeping by students for self medication, shall be kept in a designated and locked location, used exclusively for the storage of medication. Controlled substances shall be stored separately from other drugs and substances in a separate, secure, substantially constructed, locked metal or wood cabinet.
- (3) Access to stored medications shall be limited to persons authorized to administer medications. Each school shall maintain a current list of such authorized persons.
- (4) All medications, prescription and non prescription, shall be stored in their original containers and in such a manner that renders them safe and effective.
- (5) Medications that must be refrigerated shall be stored in a refrigerator, at no less than 36 degrees Fahrenheit and no more than 46 degrees Fahrenheit.

- (6) All unused, discontinued or obsolete medications shall be removed from storage areas and either returned to the parent or guardian, or with the permission of the parent or guardian, destroyed.
- (7) Non controlled drugs shall be destroyed in the presence of at least one witness. Controlled drugs shall be destroyed in accordance with Part 1307.21 of the Code of Federal Regulations, or by surrendering them to the Commissioner of the Department of Consumer Protection.
- (8) In no event shall a school store more than a forty-five (45) day supply of a medication for a student.

I. Before or After School Programs

- (1) The owner or operator of any before or after school program or day camp (as these terms are defined by this policy) shall approve and provide general supervision to an identified staff member trained to administer medication with a cartridge injector to a child diagnosed with an allergic condition that may require prompt treatment in order to protect the child against serious harm or death, provided that:
 - (a) the child's parent or guardian requests and provides written authorization to administer such medication; and
 - (b) the medication is administered pursuant to a written order from a physician, physician's assistant or an advance practice registered nurse.
- (2) Any staff member identified to administer medication with a cartridge injector to a child attending a before or after school program or day camp must be (a) trained in the use of a cartridge injector by a licensed physician, physician's assistant, advanced practice registered nurse or registered nurse; or (b) shall complete a course in first aid offered by the American Red Cross, the American Heart Association, the National Ski Patrol, the Department of Public Health or any director of health.
- (3) A director of a school readiness program (as defined by C.G.S. §10-16p) or a before or after school program, or the director's designee, may administer medications to a child enrolled in such a program provided such medication is administered in accordance with regulations adopted by the State Board of Education, including those outlined in this policy.

J. Review and Revision of Policy

In accordance with the provisions of Section 10-212a-2(b)(2), the Board shall review this policy periodically, and at least biennially, with the advice and assistance of the school medical advisor and the school nurse supervisor. Any proposed revisions to the policy must be approved by the school medical advisor or other qualified physician.

Legal References:

Connecticut General Statutes:

Section 10-206

Section 10-212

Section 10-212a (as amended by P.A. 07-241 and P.A. 07-252)

Section 19a-900

Section 21a-240

Section 52-557b

Public Act 09-155, "An Act Concerning the Use of Asthmatic Inhalers and Epinephrine Auto-injectors While at School"

Regulations of Conn. State Agencies:

Sections 10-212a-1 through 10-212a-7, inclusive

Memorandum of Decision, In Re: Declaratory Ruling/Delegation by Licensed Nurses to Unlicensed Assistive Personnel, Connecticut State Board of Examiners for Nursing (April 5, 1995)

Code of Federal Regulations

Approved by the Ashford Board of Education:

**5000 Series
Students**

FOOD ALLERGY MANAGEMENT PLAN AND GUIDELINES

The Ashford Public Schools recognize that food allergies may be life threatening. For this reason, the district is committed to developing strategies and practices to minimize the risk of accidental exposure to life threatening food allergens and to ensure prompt and effective medical response should a child suffer an allergic reaction while at school. The district further recognizes the importance of collaborating with parents and appropriate medical staff in developing such practices and encourages strategies to enable the student to become increasingly proactive in the care and management of his/her food allergy, as developmentally appropriate. To this end, the Ashford Public Schools adopt the following guidelines related to the management of life threatening food allergies for students enrolled in district schools.

I. Identifying Students with Life-Threatening Food Allergies

Early identification of students with life-threatening food allergies is important. The district therefore encourages parents/guardians of children with a life-threatening food allergy to notify the school of the allergy, providing as much information about the extent and nature of the food allergy as is known, as well as any known effective treatment for the allergy.

II. Individualized Health Care Plans and Emergency Care Plans

1. If the district determines that a child has a life-threatening food allergy, the district shall develop an individualized health care plan (IHCP) for the child. Each IHCP should contain information relevant to the child's participation in school activities, and should attempt to strike a balance between individual, school and community needs, while fostering normal development of the child.
2. The IHCP should be developed by a group of individuals, which shall include the parents, and appropriate school personnel. Such personnel may include, but are not limited to, the school nurse, school or food service administrator(s); classroom teacher(s); and the student, if appropriate. The school may also consult with the school's medical advisor, as needed.
3. IHCPs are developed for students with special health needs or whose health needs require daily interventions. The IHCP describes how to meet the child's health and safety needs within the school environment and should address the student's needs across school settings. Information to be contained in an IHCP should include a description of the functional health

issues (diagnoses); student objectives for promoting self care and age appropriate independence; and the responsibilities of parents, school nurse and other school personnel. The IHCP may also include strategies to minimize the student's risk for exposure, such as considerations regarding:

- a. classroom environment, including allergy free considerations;
 - b. cafeteria safety;
 - c. participation in school nutrition programs;
 - d. snacks, birthdays and other celebrations;
 - e. alternatives to food rewards or incentives;
 - f. hand-washing;
 - g. location of emergency medication;
 - h. risk management during lunch and recess times;
 - i. special events;
 - j. field trips;
 - k. extracurricular activities;
 - l. school transportation;
 - m. staff notification; and
 - n. transitions to new classrooms, grades and/or buildings.
4. The IHCP should be reviewed annually, or whenever there is a change in the student's emergency care plan, changes in self-monitoring and self-care abilities of the student, or following an emergency event requiring the administration of medication or the implementation of other emergency protocols.
5. In addition to the IHCP, the district shall also develop an Emergency Care Plan (ECP) for each child identified as having a life threatening food allergy. The ECP is part of the IHCP and describes the specific directions about what to do in a medical emergency. The ECP should include the following information:
- a. The child's name and other identifying information, such as date of birth, grade and photo;
 - b. The child's specific allergy;
 - c. The child's signs and symptoms of an allergic reaction;
 - d. The medication, if any, or other treatment to be administered in the event of exposure;
 - e. The location and storage of the medication;
 - f. Who will administer the medication (including self-administration options, as appropriate);
 - g. Other emergency procedures, such as calling 911, contacting the school nurse, and/or calling the parents or physician;
 - h. Recommendations for what to do if the child continues to experience symptoms after the administration of medication; and

- i. Emergency contact information for the parents/family and medical provider.
6. In developing the ECP, the school nurse should obtain current health information from the parents/family and the student's health care provider, including the student's emergency plan and all medication orders. If needed, the school nurse or other appropriate school personnel, should obtain consent to consult directly with the child's health care providers to clarify medical needs, emergency medical protocol and medication orders.
7. A student identified as having a life-threatening food allergy is entitled to an IHCP and an ECP, regardless of his/her status as a child with as disability, as that term is understood under 504, or the IDEA.
8. The district shall ensure that the information contained in the IHCP and ECP is distributed to any school personnel responsible for implementing any provisions of the IHCP and/or ECP.
9. Whenever appropriate, a student with a life-threatening food allergy should be referred to a Section 504 Team for consideration if/when there is reason to believe that the student has a disability that substantially limits a major life activity, as defined by Section 504. Whenever appropriate, students with life-threatening food allergies should be referred to a PPT for consideration of eligibility for special education and related services if there is reason to suspect that the student has a qualifying disability and requires specialized instruction.
10. When making eligibility determinations under Section 504 and/or the IDEA, schools must consider the student's needs on an individualized, case-by-case basis.

III. Training/Education

1. The district shall provide appropriate education and training for school personnel regarding the management of students with life threatening food allergies. Such training shall include, as appropriate for each school (and depending on the specific needs of the individual students at the school) training in the administration of medication with cartridge injectors (i.e. epi-pens) and/or preventative strategies to minimize a child's risk of exposure to life-threatening allergens. School personnel will be also be educated on how to recognize symptoms of allergic reactions, and what to do in the event of an emergency. Staff training and education will be coordinated by the school nurse or school medical advisor. Any such training regarding the administration of medication shall be done accordance with state law and Board policy.

2. Each school within the district shall also provide age-appropriate information to students about food allergies, how to recognize symptoms of an allergic reaction and the importance of adhering to the school's policies regarding food and/snacks.

IV. Prevention

Each school within the district will develop appropriate practices to minimize the risk of exposure to life threatening allergens. Practices which may be considered may include, but are not limited to:

1. Encouraging handwashing;
2. Discouraging students from swapping food at lunch or other snack/meal times;
3. Encouraging the use of non-food items as incentives, rewards or in connection with celebrations.

V. Communication

1. As described above, the school nurse shall be responsible for coordinating the communication between parents, a student's individual health care provider and the school regarding a student's life threatening allergic condition. School staff responsible for implementing a student's IHCP will be notified of their responsibilities and provided with appropriate information as to how to minimize risk of exposure and how to respond in the event of an emergency.
2. Each school will ensure that there are appropriate communication systems available within each school (i.e. telephones, cell phones, walkie-talkies) and for off-site activities (i.e. field trips) to ensure that school personnel are able to effectively respond in case of emergency.
3. The district shall develop standard letters to be sent home to parents, whenever appropriate, to alert them to food restrictions within their child's classroom or school.
4. All district staff are expected to follow district policy and/or federal and state law regarding the confidentiality of student information, including medical information about the student.
5. The district shall make the Food Allergy Management Plan and Guidelines available on the Board's website.
6. The district shall provide annual notice to parents and guardians regarding the Food Allergy Management Plan and Guidelines. Such notice shall be provided in conjunction with the annual written statement provided to parents and guardians regarding pesticide applications in the schools.

VI. Monitoring the District's Plan and Procedures

The district should conduct periodic assessments of its Food Allergy Management Plan and Procedures. Such assessments should occur at least annually and after each emergency event involving the administration of medication to determine the effectiveness of the process, why the incident occurred, what worked and what did not work.

The Superintendent shall annually attest to the Department of Education that the District is implementing the Food Allergy Management Plan and Guidelines.

Legal References:

State Law/Regulations/Guidance

Conn. Gen. Stat. § 10-212a Administration of Medications in Schools

Conn. Gen. Stat. § 10-212c Life-threatening food allergies: Guidelines; district plans

Conn. Gen. Stat. § 10-220i Transportation of students carrying cartridge injectors

Conn. Gen. Stat. § 10-231c Pesticide applications at schools without an integrated pest management plan.

Conn. Gen. Stat. § 19a-900 Use of cartridge injectors by staff members of before or after school program, day camp or day care facility.

Conn. Gen. Stat. § 52-557b "Good Samaritan law." Immunity from liability for emergency, medical assistance, first aid or medication by injector. School personnel not required to administer or render.

Regs. Conn. State Agencies § 10-212a-1 through 10-212a-7 Administration of Medication by School Personnel

Public Act 09-155, "An Act Concerning the Use of Asthmatic Inhalers and Epinephrine Auto-Injectors While at School"

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

Federal Law:

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

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

The Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12101 et seq.

Approved by the Ashford Board of Education:

Series 5000
Students

HOMELESS CHILDREN AND YOUTH

In accordance with federal law, it is the policy of the Ashford Board of Education to prohibit discrimination against, segregation of, or stigmatization of, homeless children and youth. The Board authorizes the Administration to establish regulations setting forth procedures necessary to implement the requirements of law with respect to homeless children and youth. In the event of conflict between federal and/or state law and these administrative regulations, the provisions of law shall control.

Legal References:

State Law:

10-253(e) School privileges for children in certain placements, non-resident children and children in temporary shelters

Federal Law:

The McKinney-Vento Homeless Education Assistance Act,
42 U.S.C. §§ 11431 et seq.

Approved by the Ashford Board of Education:

**Series 5000
Students**

**ADMINISTRATIVE REGULATIONS REGARDING HOMELESS CHILDREN
AND YOUTH**

In accordance with federal law, the Board of Education does not permit discrimination against, segregation of, or stigmatization of, homeless children and youth. The following sets forth the procedures to implement the requirements of law with respect to homeless children and youth. In the event of conflict between federal and/or state law and these regulations with respect to homeless children and youth, the provisions of law shall control.

I. Definitions:

- A. **Enroll and Enrollment:** includes attending classes and participating fully in school activities.
- B. **Homeless Children and Youth:** means children and youth twenty-one (21) years of age and younger who lack a fixed, regular, and adequate nighttime residence, including children and youth who:
1. Are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
 2. Are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations.
 3. Are living in emergency or transitional shelters.
 4. Are abandoned in hospitals.
 5. Are awaiting foster care placement.
 6. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
 7. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
 8. Are migratory children living in the above described circumstances.

- C. **School of Origin:** means the school that a homeless child or youth attended when permanently housed or the school in which the homeless child was last enrolled.
- D. **Unaccompanied Youth:** means a youth not in the physical custody of a parent or guardian.

II. Homeless Liaison:

- A. The District's Homeless Liaison is Dr. Christina Civetelli.
- B. The duties of the Homeless Liaison include:
 - 1. Ensuring that homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies.
 - 2. Ensuring that homeless children and youth enroll in, and have full and equal opportunity to succeed in, the District's schools.
 - 3. Ensuring that homeless families, children, and youths receive educational services for which such families, children and youth are eligible.
 - 4. Ensuring that parents and guardians of homeless children and youth are informed of educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children.
 - 5. Ensuring that public notice of the educational rights of homeless children and youth is disseminated in places in which these children and youth receive services under the McKinney-Vento Act.
 - 6. Ensuring that enrollment disputes are mediated in accordance with the McKinney-Vento Act.
 - 7. Ensuring that parent(s)/guardian(s) of homeless children and youth or unaccompanied youth are fully informed of all transportation services, including transportation to and from the school of origin, and are assisted in accessing those services.
 - 8. Assisting homeless children and youth in enrolling in school and accessing school services.

9. Informing parent(s)/guardian(s) of homeless children and youth, school personnel, and others of the rights of such children and youth.
10. Assisting homeless children and youth who do not have immunizations or immunization/medical records to obtain necessary immunizations or immunization/medical records.
11. Assisting unaccompanied youth in placement/enrollment decisions, including considering the youth's wishes in those decisions, and providing notice to the youth of his or her right to appeal such decisions.
12. Ensuring that homeless children and youth and unaccompanied youth are immediately enrolled in school pending resolution of disputes that might arise over enrollment or placement.
13. Collaborating and coordinating with State Coordinators for the Education of Homeless Children and Youth and community and school personnel responsible for providing education and related support services to homeless children and youth.

III. Enrollment of Homeless Children and Youth:

- A. Enrollment of homeless children and youth may not be denied or delayed due to the lack of any document normally required for enrollment. However, administrators shall require the parent/guardian to provide contact information prior to enrollment.
- B. To facilitate enrollment administrators:
 1. May permit parents/guardians of homeless children and youth to sign affidavits of residency to replace typical proof of residency.
 2. May permit unaccompanied youth to enroll with affidavits to replace typical proof of guardianship.
 3. Shall refer parent/guardian/unaccompanied youth to the Liaison who will assist in obtaining immunizations.
 4. Shall contact previous schools for records and assistance with placement decisions.
 5. Shall maintain records so that the records are available in a timely fashion when the student enters a new school or school district.

IV. School Selection:

A. Standards for School Selection:

1. The District is required to make a determination as to the best interests of a homeless child or youth in making a determination as to the appropriate school of placement.
2. In making such a determination, the District is required to keep a homeless child or youth in his/her school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; or for the remainder of the academic year if the child or youth becomes permanently housed during an academic year, to the extent feasible, unless it is against the wishes of the parent or guardian. Otherwise, the homeless child or youth shall be enrolled in a public school that non-homeless students who live in the area where the child or youth is actually living are eligible to attend.

B. Procedures for Review of School Selection Recommendation:

1. The Principal or his/her designee of the school in which enrollment is sought review an enrollment request in accordance with the standards discussed above, and shall make an initial recommendation regarding same. If the Principal or his/her designee's recommendation is to select a placement other than the school desired by the parent(s) or guardian(s) of the homeless child or youth or the unaccompanied youth, then the Principal or his/her designee shall refer the matter to the Superintendent or his/her designee for review of the recommendation and the reasons therefor, and shall notify the District's Homeless Liaison of same.
2. The Superintendent or his/her designee shall review the matter and consult with the District Homeless Liaison concerning same. If the Superintendent or his/her designee agrees with the recommendation of the Principal or his/her designee, and a dispute remains between the District and the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth about a school selection and/or enrollment decision; the Superintendent or his/her designee shall provide the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth with a written explanation of the District's decision regarding this matter, and the right to appeal such decision to the Board of Education.

C. Dispute Resolution Process:

1. The District's Homeless Liaison shall be responsible for promoting objective and expeditious dispute resolutions, and adherence to these administrative regulations.
2. If the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth disputes the school placement decision or enrollment, the District must immediately enroll the homeless child or youth in the school in which enrollment is sought, pending resolution of the dispute. The homeless child or youth shall also have the right to all appropriate educational services, including transportation to and from the school in which enrollment is sought, while the dispute is pending.
3. If necessary, the District Homeless Liaison shall assist parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth with completion of the necessary appeal paperwork required to file for an appeal to the Board of Education, and provide the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth with a copy of Section 10-186(b).
4. Within ten (10) days of receipt of an appeal to the Board of Education by a parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth, the District shall hold a hearing before the Board of Education concerning such appeal, and such hearing shall be conducted in accordance with Section 10-186(b).
5. If the Board of Education finds in favor of the Superintendent or his/her designee, a parent or guardian of a homeless child or youth or unaccompanied youth may appeal the Board of Education's decision to the State Board of Education within twenty (20) days of receipt of the Board of Education's written decision, in accordance with Section 10-186(b). If necessary, the District Homeless Liaison shall assist a parent or guardian of a homeless child or youth or unaccompanied youth with filing the necessary appeal paperwork to the State Board of Education. The homeless child or youth or unaccompanied youth shall remain in his or her school of origin pending the determination of the appeal.

V. Services:

- A. Homeless children and youth shall be provided with services comparable to those offered other students in the selected school including:
 1. Title I services or similar state or local programs, educational programs for students with disabilities, programs for students with limited English proficiency, and preschool programs.

2. Transportation services.
 3. Vocational and technical education.
 4. Programs for gifted and talented students.
 5. School nutrition programs.
 6. Before and after school programs.
- B. The District shall coordinate with local social service agencies, other service providers, housing assistance providers and other school districts to ensure that homeless children and youth have access and reasonable proximity to available education and support services.

VI. Transportation:

- A. The District shall provide transportation comparable to that available to other students.
- B. Transportation shall be provided, at a parent or guardian's request, to and from the school of origin for a homeless child or youth. Transportation shall be provided for the entire time the child or youth is homeless and until the end of any academic year in which they move into permanent housing. Transportation to the school of origin shall also be provided during pending disputes. The Liaison shall request transportation to and from the school of origin for an unaccompanied youth. Parents and unaccompanied youth shall be informed of this right to transportation before they select a school for attendance.
- C. To comply with these requirements:
1. Parents/guardians, schools, and liaisons shall use the district transportation form to process transportation requests.
 2. If the homeless child or youth is living and attending school in this District, the District shall arrange transportation.
 3. If the homeless child or youth is living in this District but attending school in another, or attending school in this District and living in another, the District will follow the inter-district transportation agreement to determine the responsibility and costs for such transportation. If there is no inter-district transportation agreement, the District shall confer with the other school district's Homeless

Liaison to determine an apportionment of the responsibility and costs.

4. If no mutually agreeable arrangement can be reached, then the District shall:
 - (a) arrange transportation immediately;
 - (b) bring the matter to the attention of the State Coordinator for the Education of Homeless Children and Youth; and
 - (c) shall ensure that such disputes do not interfere with the homeless child or youth attending school.

IV. VII. Contact Information

- A. Local Contact: for further information, contact:

Dr. Chrisinta Civetelli
School Psychologist
860-429-6419

- B. State Contact: for further information or technical assistance, contact:

Louis Tallarita, State Coordinator
Connecticut Department of Education
25 Industrial Park Road
Middletown, CT 06457-1543
(860) 807-2058

Legal References:

State Law:

10-253(e) School privileges for children in certain placements, non-resident children and children in temporary shelters

Federal Law:

The McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. §§ 11431 et seq.

Approved by the Ashford Board of Education:

DISPUTE RESOLUTION PROCESS

UNDER CONNECTICUT GENERAL STATUTES SECTION 10-186

(1) If any board of education denies such accommodations, the parent or guardian of any child who is denied schooling, or an emancipated minor or a pupil eighteen years of age or older who is denied schooling, or an agent or officer charged with the enforcement of the laws concerning attendance at school, may, in writing request a hearing by the board of education. The board of education may

- (A) conduct the hearing,
- (B) designate a subcommittee of the board composed of three board members to conduct the hearing, or
- (C) establish a local impartial hearing board of one or more persons not members of the board of education to conduct the hearing.

The board, subcommittee or local impartial hearing board shall give such person a hearing within ten days after receipt of the written request, make a stenographic record or tape recording of the hearing and make a finding within ten days after the hearing. Hearings shall be conducted in accordance with the provisions of sections 4-176e to 4-180a, inclusive, and section 4-181a. Any child, emancipated minor eighteen years or older who is denied accommodations on the basis of residency may continue in attendance in the school district at the request of the parent or guardian of such child or emancipated minor or pupil eighteen years of age or older, pending a hearing pursuant to this subdivision. The party claiming ineligibility for school accommodations shall have the burden of proving such ineligibility by a preponderance of the evidence, except in cases of denial of schooling based on residency, the party denied schooling shall have the burden of proving residency by a preponderance of the evidence.

(2) Any such parent, guardian, emancipated minor, pupil eighteen years of age or older, or agent or officer, aggrieved by the finding shall, upon request, be provided with a transcript of the hearing within thirty days after such request and may take an appeal from the finding to the State Board of Education. A copy of each notice of appeal shall be filed simultaneously with the local or regional board of education and the State Board of Education. Any child, emancipated minor or pupil eighteen years of age or older who is denied accommodations by a board of education as the result of a determination by such board, or a subcommittee of the board or local impartial hearing board, that the child is not a resident of the school district and therefore is not entitled to school accommodations in the district may continue in attendance in the school district at the request of the parent or guardian of such child or such minor or pupil, pending a determination of such appeal. If an appeal is not taken to the State Board of Education within twenty days of the mailing of the finding to the aggrieved party, the decision of the board, subcommittee or local impartial hearing board shall be final. The local or regional board of education shall, within ten days after receipt of notice of an appeal, forward the record of the hearing to the State Board of Education. The State Board of Education shall, on receipt of a written

request for a hearing made in accordance with the provisions of this subsection, establish an impartial hearing board of one or more persons to hold a public hearing in the local or regional school district in which the cause of the complaint arises. Members of the hearing board may be employees of the state Department of Education or may be qualified persons from outside the department. No member of the board of education under review nor any employee of such board of education shall be a member of the hearing board. Members of the hearing board, other than those employed by the state of Connecticut, shall be paid reasonable fees and expenses as established by the State Board of Education within the limits of available appropriations. Such hearing board may examine witnesses and shall maintain a verbatim record of all formal sessions of the hearing. Either party to the hearing may request that the hearing board join all interested parties to the hearing, or the hearing board may join any interested party on its own motion. The hearing board shall have no authority to make a determination of the rights and responsibilities of a board of education if such board is not a party to the hearing. The hearing board may render a determination of actual residence of any child, emancipated minor or pupil eighteen years of age or older where residency is at issue.

(3) The hearing board shall render its decision within forty-five days after receipt of the notice of appeal except that an extension may be granted by the Commissioner of Education upon an application by a party or the hearing board describing circumstances related to the hearing which require an extension.

(4) If, after the hearing, the hearing board finds that any child is illegally or unreasonably denied schooling, the hearing board shall order the board of education under whose jurisdiction it has been found such child should be attending school to make arrangements to enable the child to attend public school. Except in the case of a residency determination, the finding of the local or regional board of education, subcommittee of such board or a local impartial hearing board shall be upheld unless it is determined by the hearing board that the finding was arbitrary, capricious or unreasonable. If such school officers fail to take action upon such order in any case in which such child is currently denied schooling and no suitable provision is made for such child within fifteen days after receipt of the order and in all other cases, within thirty days after receipt of the order, there shall be a forfeiture of the money appropriated by the state for the support of schools amounting to fifty dollars for each child for each day such child is denied schooling. If the hearing board makes a determination that the child was not a resident of the school district and therefore not entitled to school accommodations from such district, the board of education may assess tuition against the parent or guardian of the child or the emancipated minor or pupil eighteen years of age or older based on the following: One one-hundred-eightieth of the town's net current local educational expenditure, as defined in section 10-261, per pupil multiplied by the number of days of school attendance of the child in the district while not entitled to school accommodations provided by that district. The local board of education may seek to recover the amount of the assessment through available civil remedies.

SAMPLE WRITTEN NOTIFICATION OF ENROLLMENT DECISION

[Month] __, 200_

VIA HAND DELIVERY AND U.S. MAIL

[Insert Name of Parent]

[Insert Home Address]

Re: Notification of Enrollment Decision

Dear [Parent/Guardian]:

After reviewing your request to enroll the student(s) listed above [name(s)], the enrollment request is denied. This determination is based upon the following factors:

Under the McKinney-Vento Homeless Education Assistance Act, you have the right to appeal this decision by completing the form attached to this notice or by contacting the school district's homeless education liaison:

Dr. Christina Civetelli
School Psychologist
860-429-6419

In addition, the student listed above has the right to immediately enroll in the school of choice pending resolution of the dispute. You may provide written or verbal evidence to support your position. You may seek the assistance of advocates or attorneys at your own expense. You may contact the state coordinator for homeless education:

Louis Tallarita, State Coordinator
State Department of Education
25 Industrial Park Road
Middletown, CT 06457-1543

(860) 807-2058

A copy of the dispute resolution process under section 10-186 is attached to this notice.

Please contact the District Liaison listed above if you have any questions.

Sincerely,

[Name]
Superintendent of Schools

cc: [Superintendent of Schools in which enrollment is sought, if appropriate]

350236 v.06 S4

**SAMPLE NOTIFICATION OF DECISION
TO APPEAL EDUCATIONAL PLACEMENT**

This form is to be completed by the parent, guardian, caretaker, or unaccompanied youth when a dispute arises. If you need assistance in preparing this form, you may meet with the District Liaison.

Person completing form: _____

Relation to Student: _____

Contact Information: _____

I am requesting a Board of Education Hearing under Section 10-186 of the Connecticut General Statutes to appeal the enrollment decision made by Ashford School District. I have been provided with a written explanation of the District’s decision, contact information for the District’s homeless education liaison, and a copy of the Dispute Resolution Process under Connecticut General Statutes Section 10-186.

Name

Date

Optional. You may also include a written explanation to support your appeal in the space below or provide your explanation verbally to the District Liaison.

**SAMPLE NOTIFICATION OF HEARING
REGARDING ENROLLMENT DISPUTE**

[Month] __, 200_

VIA HAND DELIVERY AND U.S. MAIL

[Insert Name of Parent]
[Insert Home Address]

Re: Educational Placement

Dear [Name of Parent]:

You have requested a hearing before the [town] Board of Education regarding the educational placement of your child(ren), [insert name(s) of student(s)] at [name of school]. The [town] Board of Education will conduct a hearing regarding your claim on [date] at [time]. The hearing will be held at the offices of the [town] Board of Education, which are located at [insert address].

The hearing will be conducted in accordance with the provisions of Section 10-186 of the Connecticut General Statutes, a copy of which is enclosed. The hearing will be conducted in executive session, and the Board of Education will make either a tape recording or a stenographic record of the hearing. You may be represented by counsel or by an advocate, at your expense, if you so desire.

Please contact the District Liaison, [insert name], if you have any questions.

Sincerely,

[Name]
Superintendent of Schools

Cc: [Superintendent of Schools in which enrollment is sought, if appropriate]

APPENDIX E

STUDENT RESIDENCY AFFIDAVIT

[Name of District]

Name of student: _____

Birthdate: _____

Name and Location of School Last Attended: _____

I, _____ declare and affirm as follows:

I am of legal age and believe in the obligations of an oath.

I am the parent/legal guardian/caregiver of _____ (name of student) who is of school age and is seeking admission to [School District].

Since _____ (date), _____ (name of student) has not had a permanent home. However, he/she has been residing within the school district boundaries and intends to stay here. He/she is currently staying at

_____ (address). This location is:

- ___ a shelter
- ___ a motel/hotel
- ___ a campsite
- ___ shared housing with other persons
- ___ other _____

I regularly receive my mail at:

_____.

I am currently living at the following address: _____.

I can be reached at the following telephone number: _____. I can be reached for emergencies at: _____.

I declare under penalty of perjury under the laws of Connecticut that the information provided is true and correct and of my own personal knowledge.

AFFIANT,

Signature of Affiant

Print Name of Affiant

Subscribed and sworn to before me
this ___ day of ___, 20__.

NOTARY PUBLIC
350236 v.06 S7

AFFIDAVIT FOR MISSING ENROLLMENT DOCUMENTATION

[District]

I, _____, being duly sworn upon oath and based on my personal knowledge hereby state and affirm the following information regarding [name of student's] missing enrollment documentation for the following:

- | | | | |
|-----|-----------------------|-----|----------------------|
| ___ | Proof of residency | ___ | Immunization Record |
| ___ | Proof of guardianship | ___ | School Health Record |
| ___ | Proof of identity | ___ | School Records |
| ___ | Birth Certificate | | |

I am of legal age and believe in the obligations of an oath.

I am unable to present a copy of the document(s) requested above for the following reasons:

The name and location of the last school the student attended is

_____.

I understand that I must obtain the necessary immunization and health records and provide a copy to the District.

AFFIANT,

Signature of Affiant

Print Name of Affiant

Subscribed and sworn to before me
this ___ day of ___, 20__.

NOTARY PUBLIC

GUIDELINES FOR INDEPENDENT EDUCATIONAL EVALUATIONS (IEE)

According to state and federal special education laws, parents/guardians have the right to an independent educational evaluation of their child at public expense if they disagree with an evaluation of the child conducted by the district. The Ashford Public Schools has established the following procedure for obtaining an Independent Educational Evaluation (IEE) and criteria for the selection of an appropriate evaluator. In accordance with applicable law, these criteria also apply to outside evaluations performed by an outside evaluator selected by, and/or, at the request of the Ashford Public Schools.

Definitions

An **Independent Educational Evaluation (IEE)** is an evaluation conducted by a qualified examiner who is not employed by the Ashford Public Schools, which is the public agency responsible for the education of the child.

An **evaluation** means the formal testing and/or assessment procedures used to determine whether a child has a disability and the nature and extent of the special education and related services the child needs.

Public expense means the district either pays for the full cost of the evaluation or ensures the evaluation is otherwise provided at no cost to the parents/guardians.

Procedure

Upon receipt of a request for an IEE by a parent/guardian, the school district will either: (a) initiate due process and a hearing to show that the evaluation conducted by the district of the child is appropriate; or (b) provide an independent educational evaluation at public expense. If the school district requests a hearing and the final decision is that the district's evaluation of the child is appropriate, the parent/guardian still has the right to an independent educational evaluation, but not at public expense.

If, in response to the parent/guardian request for an IEE, the district decides to procure an independent evaluation, the district will provide names, addresses, and phone numbers of possible IEE evaluators who meet the district's criteria (*as set forth below*). The list will identify those evaluators who, in the district's judgment, are qualified to perform the evaluation requested by the parents. Parents may also select evaluators not included on the district's list, provided they fully satisfy all of the criteria set forth below.

Parents will be expected to contact the evaluator they have selected to conduct the IEE in a timely manner to schedule any necessary appointments.

Criteria for Outside Evaluators (*Independent Evaluators and Outside Evaluators Selected by the Ashford Public Schools*)

Evaluators chosen to conduct independent evaluations must meet *all of* the criteria established by the district as follows:

A. Minimum Credentials for Evaluators

For Psychologists:

1. Hold a valid Connecticut Department of Health license as a psychologist.
2. Have achieved a Doctor of Philosophy (Ph.D.) or Doctor of Psychology (Psy.D.) in Psychology, Neuropsychology or Clinical Psychology from an accredited university.
3. Have training and experience in evaluating students of the same age level.
4. Have clinical background, advanced training, and recent experience in the areas of disability being evaluated.
5. Be able to schedule an evaluation in a timely manner and produce a written report within forty - five (45) school days of the evaluation, subject to any contractual arrangement with the district or unusual circumstances which justify an extension of this timeline.

For individuals conducting academic achievement testing, the individual must *either*:

1. Fulfill the following requirements:
 - (a) Have attained a minimum of a Master's degree; *and*
 - (b) Hold an appropriate and valid special education or other academic specialization (such as reading or mathematics) certificate from the Connecticut, Massachusetts or Rhode Island State Departments of Education; *and*
 - (c) Have experience in teaching and evaluating students in the area of suspected disability.

Or

2. Fulfill the requirements of the psychologist above.

For Speech Pathologists, Audiologists, Occupational Therapists, Physical Therapists and Physicians:

1. Hold a valid Connecticut Department of Health license to practice.
2. Have clinical pediatric experience in evaluating and treating children in the area of disability being evaluated.
3. In the case of physicians, be Board Certified in the appropriate specialty area (pediatrics, care of children and adolescents, etc.)

B. Cost: Evaluators must charge fees for evaluation services which, in the judgment of the school district, are reasonable and customary for such evaluations.

C. The evaluator must not be an employee of the school district.

- D. The evaluator must be permitted to directly communicate with school staff who work with the child in school and the members of the Planning and Placement Team, including the Special Education Director, as well as to obtain information from the school and share information with the school.
- E. The evaluator must obtain and consider school information and observations of the child in the school setting in the evaluation process and the written report.
- F. The evaluator must agree to provide the assessment information and results, including the results of teacher and parent checklists and surveys, in a written report to the district prior to receipt of payment for services. The evaluator will be expected to produce his/her written report within forty - five (45) school days of the evaluation, subject to any contractual arrangement with the district or unusual circumstances which justify an extension of this timeline.
- G. The evaluator must comply with all guidelines required under the Individuals with Disabilities Education Act (IDEA) and the Connecticut State Department of Education regulations regarding the evaluation of children with disabilities. The evaluator must also comply with all applicable confidentiality requirements under state and federal law.

Location Limitations for Evaluators

Evaluators who will be considered for approval must be located within a radius of seventy-five miles. Evaluators outside of this geographic area will be approved only on an exceptional basis, provided that the parent can demonstrate the necessity of using personnel outside of this geographic area. The district shall not be responsible to provide transportation, nor pay any travel expenses, to and from the location of the evaluator. In the case of low incidence or severe disabilities where qualified evaluators may not exist in the geographic area, this requirement may be reconsidered by the district.

Additional Information

If the district has not conducted an evaluation of a child, the parent does not have a right to an independent evaluation at public cost. The district has the right to first evaluation. A parent/guardian may request only one independent evaluation at public expense for each evaluation conducted by the district.

Outside Evaluations Which are Not IEEs

Evaluations and/or assessment obtained by parents/guardians which do not meet the criteria for an IEE are considered outside evaluations for which parents/guardians are not entitled to reimbursement or payment from a public school district. Nonetheless, if a parent/guardian decides to unilaterally obtain an outside evaluation and to share the results of such evaluation with the district, the school district will consider the evaluation at an IEP meeting, as appropriate.

The results of an independent evaluation procured by the district will be considered at a Planning and Placement Team meeting.

Questions

Please contact the Director of Special Services with any questions regarding the criteria for independent educational evaluations.

Approved by the Ashford Board of Education:

**Series 5000
Students**

**POLICY REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT
(STUDENTS)**

It is the policy of the Board of Education that any form of sex discrimination or sexual harassment is prohibited, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Any student or employee who engages in conduct prohibited by this policy shall be subject to disciplinary action.

The Superintendent of Schools shall develop Administrative Regulations implementing this Policy.

Definitions

Sex discrimination occurs when a person, because of his or her sex, is denied participation in or the benefits of any education program receiving federal financial assistance.

Sexual harassment: In a school setting, sexual harassment is conduct that 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student's ability to participate in or benefit from a school's educational program. Sexual harassment can be verbal, nonverbal or physical. Although not an exhaustive list, the following are examples of sexual conduct prohibited by this policy:

1. Statements or other conduct indicating that a student's submission to, or rejection of, sexual overtures or advances will affect the student's grades and/or other academic progress.
2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.
3. Display of sexually suggestive objects, or use of sexually suggestive or obscene remarks, invitations, letters, emails, text messages, notes, slurs, jokes, pictures, cartoons, epithets or gestures.
4. Touching of a sexual nature or telling sexual or dirty jokes.
5. Transmitting or displaying emails or websites of a sexual nature.

6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

Procedure

It is the express policy of the Board of Education to encourage victims of sex discrimination or sexual harassment to report such claims. Students are encouraged to promptly report complaints of sex discrimination or sexual harassment to the appropriate personnel, as set forth in the Administrative Regulations implementing this Policy. The district will investigate such complaints promptly and will take corrective action where appropriate. The district will maintain confidentiality to the extent appropriate. The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of sexual harassment or sex discrimination. Any such reprisals or retaliation will result in disciplinary action against the retaliator.

The school district will periodically provide staff development for district administrators and periodically distribute this Policy and the implementing Administrative Regulations to staff and students in an effort to maintain an environment free of sexual harassment and sex discrimination.

Legal References: United States Constitution, Article XIV
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681,
et seq.
Title IX of the Education Amendments of 1972, 34 C.F.R § 106.1,
et seq.
Gebser v. Lago Vista Independent School District, 524 U.S. 274
(1998)
Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
Office for Civil Rights, U.S. Department of Education, Revised
Sexual Harassment Guidance: Harassment of Students by School
Employees, Other Students, or Third Parties, 66 Fed. Reg. 5512
(Jan. 19, 2001).
Constitution of the State of Connecticut, Article I, Section 20.

Approved by the Ashford Board of Education:

Students

[Note: The following administrative procedures are not part of the sex discrimination and sexual harassment policy and need not be approved by the Board. However, because a complaint procedure is legally required, these administrative regulations are included for your convenience.]

ADMINISTRATIVE REGULATIONS REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT (STUDENTS)

It is the policy of the Board of Education that any form of sex discrimination or sexual harassment is forbidden, whether by students, Board employees or third parties subject to the control of the board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Any student or employee who engages in conduct prohibited by the Board's sex discrimination and sexual harassment policy shall be subject to disciplinary action.

Definitions

Sex discrimination occurs when a person, because of his or her sex, is denied participation in or the benefits of any education program receiving federal financial assistance.

Sexual harassment: In a school setting, sexual harassment is conduct that 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student's ability to participate in or benefit from a school's educational program. Sexual harassment can be verbal, nonverbal or physical. Although not an exhaustive list, the following are examples of sexual conduct prohibited by this policy:

1. Statements or other conduct indicating that a student's submission to, or rejection of, sexual overtures or advances will affect the student's grades and/or other academic progress.
2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.
3. Display of sexually suggestive objects, or use of sexually suggestive or obscene remarks, invitations, letters, emails, text messages, notes, slurs, jokes, pictures, cartoons, epithets or gestures.
4. Touching of a sexual nature or telling sexual or dirty jokes.

5. Transmitting or displaying emails or websites of a sexual nature.
6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

Complaint Procedure

1. It is the express policy of the Board of Education to encourage victims of sex discrimination or sexual harassment to promptly report such claims. Timely reporting of complaints facilitates the investigation and resolution of such complaints.
2. As soon as a student feels that he or she has been subjected to sex discrimination or sexual harassment, he/she should make a written complaint to [**INSERT HERE THE NAMES OF APPROPRIATE SCHOOL PERSONNEL – PREFERABLY ONE OF EACH SEX**] or to the building principal, or his/her designee. The student will be provided a copy of the Board's policy and regulation and made aware of his or her rights.
3. The complaint should state the:
 - A. Name of the complainant,
 - B. Date of the complaint,
 - C. Date(s) of the alleged harassment/discrimination,
 - D. Name(s) of the harasser(s) or discriminator(s),
 - E. Location where such harassment/discrimination occurred,
 - F. Names of any witness(es) to the harassment/discrimination, and
 - G. Detailed statement of the circumstances constituting the alleged harassment/discrimination.
4. Any student who makes an oral complaint of harassment or sex discrimination to any of the above-mentioned personnel will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. In appropriate circumstances, due to the age of the student making the complaint, a parent or school administrator may be permitted to fill out the form on the student's behalf.

5. If the complainant is a minor student, the person to whom the complaint is given should consider whether a child abuse report should be completed in accordance with the Board's policy on the Reports of Suspected Child Abuse or Neglect of Children.
6. All complaints are to be forwarded immediately to the building principal or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Superintendent of Schools or designee. In addition, a copy of any complaint filed under this policy shall be forwarded to the Title IX Coordinator.
7. Upon receipt of a sexual harassment or sex discrimination complaint, the Title IX Coordinator shall either promptly commence an investigation of the complaint, or shall designate a school administrator to investigate the complaint. The Title IX Coordinator or designee shall consult with all individuals reasonably believed to have relevant information, including the complainant, the alleged harasser/discriminator and any witnesses to the conduct. The investigation shall be carried on discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation.
8. The Title IX Coordinator or designee shall make a written report summarizing the results of the investigation and proposed disposition of the matter. Consistent with state and federal law and as deemed appropriate by the Title IX Coordinator or designee, the findings of the investigation shall be shared with persons involved in the investigation.
9. If the student complainant is dissatisfied with the findings of the investigation, he or she may file a written appeal to the Title IX Coordinator, or, if he or she conducted the investigation, to the Superintendent of Schools, who shall review the Title IX Coordinator or designee's written report, the information collected by the Title IX Coordinator or designee together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes sexual harassment or sex discrimination. The Title IX Coordinator or Superintendent of Schools may also investigate the complaint further. After completing this review, the Title IX Coordinator or Superintendent of Schools shall respond to the complainant, in writing, as soon as possible.

If after a thorough investigation, there is reasonable cause to believe that sexual harassment or sex discrimination has occurred, the district shall take appropriate corrective action in an effort to ensure that the harassment/discrimination ceases and will not recur.

Retaliation against any individual who complains pursuant to the Board's policy and regulations is strictly prohibited. The district will take actions necessary to prevent retaliation as a result of filing a complaint.

Copies of this regulation will be distributed to all students.

Title IX Coordinator

The Title IX Coordinator for the _____ Board of Education
is: _____, whose office is located at
_____ and whose telephone number is
_____.

Regulation approved:

ADOPTED: _____

REVISED: _____

7/24/10

**Series 5000
Students**

**COMPLAINT FORM REGARDING SEX DISCRIMINATION
AND SEXUAL HARASSMENT (STUDENTS)**

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination/harassment _____

Name or names of the discriminator(s) or harasser(s) _____

Location where such discrimination/harassment occurred _____

Name(s) of any witness(es) to the discrimination/harassment. _____

Detailed statement of the circumstances constituting the alleged discrimination or
harassment _____

9/1/09