

Special Meeting
Board of Education
Policy Sub-Committee Meeting
November 19 , 2024

Municipal Building
3 Primrose Street
Newtown, CT 06470
BOE Conference Room
5:00 p.m.

AGENDA

- 1. Call to Order**
- 2. Public Participation**
- 3. Approval of Minutes of October 29, 2024**
- 4. Discussion and Possible Action**
 - A. Policies Recommended for First Read
 1. 4113 Employment and Student Teacher Checks (revision)
4213
 2. 4117 Emergency Action Plan for Intramural and Interscholastic
4217 Athletic Events (new)
 3. 4118 Exertional Heat Illness Awareness for Intramural and
4218 Interscholastic Athletics (new)
 4. 4119 Prohibition on Recommendations for Psychotropic Drug (replacement)
 5. 4120 Sudden Cardiac Arrest Awareness for Intramural and
4220 Interscholastic Athletics (new)
 6. 4136 Reports of Suspected Abuse or Neglect of Adults with an
4236 Intellectual Disability or Autism Spectrum Disorder (new)
 7. 6144 Enrollment in an Advanced Course or Program and Challenging
Curriculum (revision)
 - B. Items of Information
 1. 1070 R Administrative Regulations Regarding Pool Safety Plan
 2. 6144 R Administrative Regulations Addressing Enrollment in an
Advanced Course or Program and Challenging Curriculum
 - C. Policies to Rescind Upon Adoption of Policies in 4.A
 1. 4118.234 Psychotropic Drug Use
 2. 5141.231 Psychotropic Drug Use
 3. 6141.51 Enrollment in an Advanced Course or Program
6141.52 and Challenging Curriculum
 - D. Non-Mandated Policies to Rescind
 1. 0000 Mission of the Newtown Public Schools
 2. 0200 Goals and Objectives
 3. 0600 Monitoring and Reporting: State
 4. 1000 Concept, Goals and Roles in Community Relations
 5. 1100 Communication Protocol for Parents–Dispute Resolution
 - E. Review Recommendation to Rescind Policy 5141-Student Health Services
- 5. Public Participation**
- 6. Adjourn**

Note: State law requires boards of education to conduct employment history reviews before offering employment to an applicant for a position, including any position that is contracted for, if such applicant would have direct student contact. In conducting this review, boards of education are required to send an Educational Employer Verification form to an applicant’s previous employers. Among other information, the form requests an employer to disclose whether the applicant (1) has been the subject of an allegation of abuse or neglect or sexual misconduct for which there is an investigation pending with any employer, state agency, or municipal police department or which has been substantiated; (2) was disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct; or (3) has ever had a professional or occupational license, certificate, authorization or permit suspended or revoked or has ever surrendered such a license, certificate, authorization or permit while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct. Public Act 24-41 amends this requirement and specifies that an applicants’ previous employers are not required to disclose information about a substantiated allegation of abuse or neglect or sexual misconduct if the substantiation was reversed as a result of an appeal to the Department of Children and Families (“DCF”). We have revised this policy in light of that change.

S & G also revised the policy to clarify a board of education’s responsibilities under the Fair Credit Reporting Act when deciding whether to take adverse actions against prospective employees.

The current policy is from S & G, therefore, this is a revised policy. It has been reviewed by the Director of Human Resources.

**Series 4000
Personnel**

**4113
4213**

EMPLOYMENT AND STUDENT TEACHER CHECKS

As set forth below, each applicant for a position with the Newtown Public Schools (the “District”), and each student who is enrolled in a teacher preparation program with the District, as defined in section 10-10a of the Connecticut General Statutes, and completing a student teaching experience in the District (collectively referred to as “applicants”), shall be asked to provide in writing: (1) whether the applicant has ever been convicted of a crime; (2) whether there are any criminal charges pending against the applicant at the time of the application and, if charges are pending, to state the charges and the court in which such charges are pending; and (3) whether the applicant is included on the Abuse and Neglect Registry of the Connecticut Department of Children and Families (“DCF”) (the “Registry”).

Applicants shall not be required to disclose any arrest, criminal charge or conviction that has been erased. An employment application form that contains any question concerning the criminal history of the applicant shall contain the following notice, in clear and conspicuous language:

Pursuant to section 31-51i(d) of the Connecticut General Statutes, the applicant is hereby notified that (1) the applicant is not required to disclose the existence of any erased criminal history record information,

(2) erased criminal history record information are records pertaining to a finding of delinquency or that a child was a member of a family with service needs, an adjudication as a youthful offender, a criminal charge that has been dismissed or nolle, a criminal charge for which the person has been found not guilty or a conviction for which the person received an absolute pardon or criminal records that are erased pursuant to statute or by other operation of law, and (3) any person with erased criminal history record information shall be deemed to have never been arrested within the meaning of the general statutes with respect to the proceedings so erased and may so swear under oath.

In addition, the District shall conduct an employment history check for each applicant for a position, as set forth below.

For the purposes of this policy:

“Sexual misconduct” means any verbal, nonverbal, written, or electronic communication, or any other act directed toward or with a student that is designed to establish a sexual relationship with the student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialog, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature, and any other sexual, indecent, or erotic contact with a student.

“Abuse or neglect” means abuse or neglect as described in Conn. Gen. Stat. § 46b-120, and includes any violation of Conn. Gen. Stat. §§ 53a-70 (sexual assault in the first degree), 53a-70a (aggravated sexual assault in the first degree), 53a-71 (sexual assault in the second degree), 53a-72a (sexual assault in the third degree), 53a-72b (sexual assault in the third degree with a firearm), or 53a-73a (sexual assault in the fourth degree).

“Former employer” means any person, firm, business, educational institution, nonprofit agency, corporation, limited liability company, the state, any political subdivision of the state, any governmental agency, or any other entity that such applicant was employed by during any of the previous twenty years prior to applying for a position with a local or regional board of education.

I. Employment History Check Procedures

A. The District shall not offer employment to an applicant for a position, including any position that is contracted for, if such applicant would have direct student contact, prior to the District:

1. Requiring the applicant:

a. to list the name, address, and telephone number of each current employer or former employer (please note the definition of “former employer” above, including the applicable twenty year reporting period) during any of the previous twenty years, if:

(i) such current or former employer is/was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, and/or

- (ii) the applicant's employment with such current or former employer caused the applicant to have contact with children.
 - b. to submit a written authorization that
 - (i) consents to and authorizes disclosure by the employers listed under paragraph I.A.1.a of this policy of the information requested under paragraph I.A.2 of this policy and the release of related records by such employers,
 - (ii) consents to and authorizes disclosure by the Connecticut State Department of Education (the "Department") of the information requested under paragraph I.A.3 of this policy and the release of related records by the Department, and
 - (iii) releases those employers and the Department from liability that may arise from such disclosure or release of records pursuant to paragraphs I.A.2 or I.A.3 of this policy; and
 - c. to submit a written statement of whether the applicant
 - (i) has been the subject of an abuse or neglect or sexual misconduct investigation by any employer, state agency or municipal police department, unless the investigation resulted in a finding that all allegations were unsubstantiated,
 - (ii) has ever been disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect was pending or under investigation by DCF, or an allegation of sexual misconduct was pending or under investigation or due to an allegation substantiated pursuant to Conn. Gen. Stat. § 17a-101g of abuse or neglect, or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct, or
 - (iii) has ever had a professional or occupational license or certificate suspended or revoked or has ever surrendered such a license or certificate while an allegation of abuse or neglect was pending or under investigation by DCF or an investigation of sexual misconduct was pending or under investigation, or due to an allegation substantiated by DCF of abuse or neglect or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct;
- 2. Conducting a review of the employment history of the applicant by contacting those employers listed by the applicant under paragraph I.A.1.a of this policy. Such review shall be conducted using a form developed by the Department, which shall request the following:
 - a. the dates employment of the applicant, and

- b. a statement as to whether the employer has knowledge that the applicant:
 - (i) was the subject of an allegation of abuse or neglect or sexual misconduct for which there is an investigation pending with any employer, state agency, or municipal police department or which has been substantiated, unless such substantiation was reversed as a result of an appeal to DCF;
 - (ii) was disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct, unless such substantiation was reversed as a result of an appeal to DCF; or
 - (iii) has ever had a professional or occupational license, certificate, authorization or permit suspended or revoked or has ever surrendered such a license, certificate, authorization or permit while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct, unless such substantiation was reversed as a result of an appeal to DCF. Such review may be conducted telephonically or through written communication. Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, not later than five (5) business days after the District receives a request for such information about an employee or former employee, the District shall respond with such information. The District may request more information concerning any response made by a current or former employer for information about an applicant, and, notwithstanding subsection (g), such employer shall respond not later than five (5) business days after receiving such request.

3. Requesting information from the Department concerning:

- a. the eligibility status for employment of any applicant for a position requiring a certificate, authorization or permit,
- b. whether the Department has knowledge that a finding has been substantiated by DCF pursuant to Conn. Gen. Stat. § 17a-101g of abuse or neglect or of sexual misconduct against the applicant and any information concerning such a finding, and
- c. whether the Department has received notification that the applicant has been convicted of a crime or of criminal charges pending against the applicant and any information concerning such charges.

- B. Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, if the District receives information that an applicant for a position with or an employee of the District has been disciplined for a finding of abuse or neglect or sexual misconduct, it shall notify the Department of such information.
- C. The District shall not employ an applicant for a position involving direct student contact who does not comply with the provisions of paragraph I.A.1 of this policy.
- D. The District may employ or contract with an applicant on a temporary basis for a period not to exceed ninety (90) calendar days, pending the District's review of information received under this section, provided:
 - 1. The applicant complied with paragraph I.A.1 of this policy;
 - 2. The District has no knowledge of information pertaining to the applicant that would disqualify the applicant from employment with the District; and
 - 3. The applicant affirms that the applicant is not disqualified from employment with the District.
- E. The District shall not enter into a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement, or any other contract or agreement or take any action that:
 - 1. Has the effect of suppressing information relating to an investigation of a report of suspected abuse or neglect or sexual misconduct by a current or former employee;
 - 2. Affects the ability of the District to report suspected abuse or neglect or sexual misconduct to appropriate authorities; or
 - 3. Requires the District to expunge information about an allegation or a finding of suspected abuse or neglect or sexual misconduct from any documents maintained by the District, unless, after investigation, such allegation is dismissed or found to be false.
- F. The District shall not offer employment to a person as a substitute teacher, unless such person and the District comply with the provisions of paragraph I.A.1 of this policy. The District shall determine which such persons are employable as substitute teachers and maintain a list of such persons. The District shall not hire any person as a substitute teacher who is not on such list. Such person shall remain on such list as long as such person is continuously employed by the District as a substitute teacher, as described in paragraph III.B.2 of this policy, provided the District does not have any knowledge of a reason that such person should be removed from such list.
- G. In the case of an applicant who is a contractor, the contractor shall require any employee with such contractor who would be in a position involving direct student contact to supply to such contractor all the information required of an applicant under paragraphs I.A.1.a and I.A.1.c of this policy and a written authorization under paragraph I.A.1.b of this policy. Such contractor shall contact any current

or former employer (please note the definition of “former employer” above, including the applicable twenty year reporting period) of such employee that was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or if the employee’s employment with such current or former employer caused the employee to have contact with children, and request, either telephonically or through written communication, any information concerning whether there was a finding of abuse or neglect or sexual misconduct against such employee. Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, such employer shall report to the contractor any such finding, either telephonically or through written communication. If the contractor receives any information indicating such a finding or otherwise receives any information indicating such a finding or otherwise has knowledge of such a finding, the contractor shall, notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, immediately forward such information to the District, either telephonically or through written communication. If the District receives such information, it shall determine whether such employee of the contractor may work in a position involving direct student contact at any school in the District. No determination by the District that any such employee of the contractor shall not work under any such contract in any such position shall constitute a breach of such contract.

- H. Any applicant/employee who knowingly provides false information or knowingly fails to disclose information required in subdivision (1) of subsection (A) of this section shall be subject to discipline by the District that may include:
 - 1. denial of employment, or
 - 2. termination of the contract of a certified employee, in accordance with the provisions of Conn. Gen. Stat. § 10-151, or
 - 3. termination of a non-certified employee in accordance with applicable law and/or any applicable collective bargaining agreement, contract or District policy.
- I. If the District provides information in accordance with paragraph I.A.2 or I.G of this policy, the District shall be immune from criminal and civil liability, provided the District did not knowingly supply false information.
- J. Notwithstanding the provisions of Conn. Gen. Stat. § 10-151c and subsection (g) of Conn. Gen. Stat. § 31-51i, the District shall provide, upon request by another local or regional board of education, governing council of a state or local charter school, interdistrict magnet school operator, or supervisory agent of a nonpublic school for the purposes of an inquiry pursuant to paragraphs I.A.2 or I.G of this policy or to the Commissioner of Education pursuant to paragraph I.B of this policy any information that the District has concerning a finding of abuse or neglect or sexual misconduct by a subject of any such inquiry.
- K. Prior to offering employment to an applicant, the District shall make a documented good faith effort to contact each current and any former employer (please note the definition of “former employer” employer above, including the applicable twenty year reporting period) of the applicant that was a local or regional board of

education, governing council of a state or local charter school, interdistrict magnet school operator, or supervisory agent of a nonpublic school, or if the applicant's employment with such current or former employer caused the applicant to have contact with children in order to obtain information and recommendations that may be relevant to the applicant's fitness for employment. Such effort, however, shall not be construed to require more than three telephonic requests made on three separate days.

- L. The District shall not offer employment to any applicant who had any previous employment contract terminated by a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or who resigned from such employment, if the person has been convicted of a violation of Conn. Gen. Stat. § 17a-101a, when an allegation of abuse or neglect or sexual assault has been substantiated.

II. DCF Registry Checks

Prior to hiring any person for a position with the District, and before a student who is enrolled in a teacher preparation program in the District, as defined in section 10-10a of the Connecticut General Statutes, and completing a student teaching experience with the District, begins such student teaching experience, the District shall require such applicant or student to submit to a records check of information maintained on the Registry concerning the applicant.

The District shall request information from the Registry promptly, and in any case no later than thirty (30) calendar days from the date of employment. Registry checks will be processed according to the following procedure:

- A. No later than ten (10) calendar days after the Superintendent or the Superintendent's designee has notified a job applicant of a decision to offer employment to the applicant, or as soon thereafter as practicable, the Superintendent or the Superintendent's designee will either obtain the information from the Registry or, if the applicant's consent is required to access the information, will supply the applicant with the release form utilized by DCF for obtaining information from the Registry.
- B. If consent is required to access the Registry, no later than ten (10) calendar days after the Superintendent or the Superintendent's designee has provided the successful job applicant with the form, the applicant must submit the signed form to DCF, with a copy to the Superintendent or the Superintendent's designee. Failure of the applicant to submit the signed form to DCF within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
- C. Upon receipt of Registry information indicating previously undisclosed information concerning abuse or neglect investigations concerning the successful job applicant/employee, the Superintendent or the Superintendent's designee will notify the affected applicant/employee in writing of the results of the Registry check and will provide an opportunity for the affected applicant/employee to respond to the results of the Registry check.

- D. If notification is received by the Superintendent or the Superintendent's designee that the applicant is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or the Superintendent's designee shall provide the applicant with an opportunity to be heard regarding the results of the Registry check. If warranted by the results of the Registry check and any additional information provided by the applicant, the Superintendent or the Superintendent's designee shall revoke the offer of employment and/or terminate the applicant's employment if the applicant has already commenced working for the District.

III. Criminal Records Check Procedure

- A. Each person hired by the District shall be required to submit to state and national criminal records checks within thirty (30) calendar days from the date of employment. Each student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing a student teaching experience with the District, shall be required to submit to state and national criminal records checks within sixty (60) calendar days from the date such student begins to perform such student teaching experience. Record checks will be processed according to the following procedure:*
1. No later than five (5) calendar days after the Superintendent or the Superintendent's designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent or the Superintendent's designee will provide the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted. This packet shall also contain all documents and materials necessary for the police department to submit the completed fingerprints to the State Police Bureau of Identification for the processing of state and national criminal records checks. The Superintendent or the Superintendent's designee will also provide each applicant with the following notifications before the applicant obtains the applicant's fingerprints: (1) Agency Privacy Requirements for Noncriminal Justice Applicants; (2) Noncriminal Justice Applicant's Privacy Rights; (3) and the Federal Bureau of Investigation, United States Department of Justice Privacy Act Statement.
 2. No later than ten (10) calendar days after the Superintendent or the Superintendent's designee has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted. Failure of the applicant to have the applicant's fingerprints taken within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
 3. Any person for whom criminal records checks are required to be performed pursuant to this policy must pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for criminal records checks. Fees and costs associated with the fingerprinting process and the submission and process of requests are waived for student teachers, in accordance with state law.

4. Upon receipt of a criminal records check indicating a previously undisclosed conviction, the Superintendent or the Superintendent's designee will notify the affected applicant/employee in writing of the results of the record check and will provide an opportunity for the affected applicant/employee to respond to the results of the criminal records check. The affected applicant/employee may notify the Superintendent or the Superintendent's designee in writing within five (5) calendar days that the affected applicant/employee will challenge such individual's criminal history records check. Upon written notification to the Superintendent or the Superintendent's designee of such a challenge, the affected applicant/employee shall have ten (10) calendar days to provide the Superintendent or the Superintendent's designee with necessary documentation regarding the affected applicant/employee's record challenge. The Superintendent or the Superintendent's designee may grant an extension to the preceding ten-day period during which the affected applicant/employee may provide such documentation for good cause shown.
5. Decisions regarding the effect of a conviction upon an applicant/employee, whether disclosed or undisclosed by the applicant/employee, will be made on a case-by-case basis. Notwithstanding the foregoing, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or discharge from employment.
6. Notwithstanding anything in paragraph III.A.5 of this policy, above, no decision to deny employment or withdraw an offer of employment on the basis of an applicant/employee's criminal history record shall be made without affording the applicant/employee the opportunities set forth in paragraph III.A.4 of this policy, above.

B. Criminal Records Check for Substitute Teachers:

A substitute teacher who is hired by the District must submit to state and national criminal history records checks according to the procedures outlined above, subject to the following:

1. If the state and national criminal history records checks for a substitute teacher have been completed within one year prior to the date the District hired the substitute teacher, and if the substitute teacher arranged for such prior criminal history records checks to be forwarded to the Superintendent or the Superintendent's designee, then the substitute teacher will not be required to submit to another criminal history records check at the time of such hire.
2. If a substitute teacher submitted to state and national criminal history records checks upon being hired by the District, then the substitute teacher will not be required to submit to another criminal history records check so long as the substitute teacher is continuously employed by the District, that is, employed for at least one day of each school year, by the District,

provided a substitute teacher is subjected to such checks at least once every five years.

IV. Sex Offender Registry Checks

District personnel shall cross-reference the Connecticut Department of Public Safety's sexual offender registry prior to hiring any new employee and before a student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing a student teaching experience with the District, begins such student teaching experience. Registration as a sexual offender constitutes grounds for denial of employment opportunities and opportunities to perform student teaching experiences in the District.

V. Notice of Conviction

If, at any time, the District receives notice of a conviction of a crime by a person holding a certificate, authorization or permit issued by the State Board of Education, the District shall send such notice to the State Board of Education. In complying with this requirement, the District shall not disseminate the results of any national criminal history records check.

VI. School Nurses

School nurses or nurse practitioners appointed by, or under contract with, the District shall also be required to submit to a criminal history records check in accordance with the procedures outlined above.

VII. Personal Online Accounts

For purposes of this policy, "personal online account" means any online account that is used by an employee or applicant exclusively for personal purposes and unrelated to any business purpose of the District, including, but not limited to, electronic mail, social media and retail-based Internet web sites. "Personal online account" does not include any account created, maintained, used or accessed by an employee or applicant for a business purpose of the District.

A. During the course of an employment check, the District may not:

1. request or require that an applicant provide the District with a user name and password, password or any other authentication means for accessing a personal online account;
2. request or require that an applicant authenticate or access a personal online account in the presence of District personnel; or
3. require that an applicant invite a supervisor employed by the District or accept an invitation from a supervisor employed by the District to join a group affiliated with any personal online account of the applicant.

B. The District may request or require that an applicant provide the District with a user name and password, password or any other authentication means for accessing:

Conn. Gen. Stat. § 31-51tt

Public Act 24-41, “An Act Concerning Educator Certification, Teachers, Paraeducators and Mandated Reporter Requirements.”

Elementary and Secondary Education Act, reauthorized as the Every Student Succeeds Act, Pub. L. 114-95, codified at 20 U.S.C. § 1001 *et seq.*

Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*

Adopted: March 1, 2022
Revised:

NEWTOWN PUBLIC SCHOOLS
Newtown, Connecticut

Agency Privacy Requirements for Noncriminal Justice Applicants

Authorized governmental and non-governmental agencies/officials that conduct a national fingerprint-based criminal history record check on an applicant for a noncriminal justice purpose (such as employment or a license, immigration or naturalization matter, security clearance, or adoption) are obligated to ensure the applicant is provided certain notices and that the results of the check are handled in a manner that protects the applicant’s privacy. All notices must be provided in writing.¹ These obligations are pursuant to the Privacy Act of 1974, Title 5, United States Code (U.S.C.), Section 552a, and Title 28, Code of Federal Regulations (CFR), Section 50.12, among other authorities.

- Officials must ensure that each applicant receives an adequate written FBI Privacy Act Statement (dated 2013 or later) when the applicant submits the applicant’s fingerprints and associated personal information.²
- Officials must advise all applicants in writing that procedures for obtaining a change, correction, or update of an FBI criminal history record are set forth at 28 CFR 16.34. Information regarding this process may be found at <https://www.fbi.gov/services/cjis/identity-history-summary-checks> and <https://www.edo.cjis.gov>.
- Officials must provide the applicant the opportunity to complete or challenge the accuracy of the information in the FBI criminal history record.
- Officials should not deny the employment, license, or other benefit based on information in the FBI criminal history record until the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.
- Officials must use the criminal history record for authorized purposes only and cannot retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Council.³

The FBI has no objection to officials providing a copy of the applicant’s FBI criminal history record to the applicant for review and possible challenge when the record was obtained based on positive fingerprint identification. If agency policy permits, this courtesy will save the applicant the time and additional FBI fee to obtain the applicant’s record directly from the FBI by following the procedures found at 28 CFR 16.30 through 16.34. It will also allow the officials to make a more timely determination of the applicant’s suitability.

Each agency should establish and document the process/procedures it utilizes for how/when it gives the applicant the FBI Privacy Act Statement, the 28 CFR 50.12 notice, and the opportunity to correct the applicant’s record. Such documentation will assist State and/or FBI auditors during periodic compliance reviews on use of FBI criminal history records for noncriminal justice purposes.

If you need additional information or assistance, contact:

<p>Connecticut Records: Department of Emergency Services and Public Protection State Police Bureau of Identification (SPBI) 1111 Country Club Road Middletown, CT 06457 860-685-8480</p>	<p>Out-of-State Records: Agency of Record OR FBI CJIS Division-Summary Request 1000 Custer Hollow Road Clarksburg, West Virginia 26306</p>
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¹ Written notification includes electronic notification, but excludes oral notification.

² See <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

³ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 34 U.S.C. § 40316 (formerly cited as 42 U.S.C. § 14616), Article IV(c); 28 CFR 20.21(c), 20.33(d), 50.12(b) and 906.2(d).

Noncriminal Justice Applicant’s Privacy Rights

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for a job or license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below. All notices must be provided to you in writing.⁴ These obligations are pursuant to the Privacy Act of 1974, Title 5, United States Code (U.S.C.) Section 552a, and Title 28 Code of Federal Regulations (CFR), 50.12, among other authorities.

- You must be provided an adequate written FBI Privacy Act Statement (dated 2013 or later) when you submit your fingerprints and associated person information. This Privacy Act Statement must explain the authority for collecting your fingerprints and associated information and whether your fingerprints and associated information will be searched, shared, or retained.⁵
- You must be advised in writing of the procedures for obtaining a change, correction, or updating of your criminal history record as set forth at 28 CFR 16.34.
- You must be provided the opportunity to complete or challenge the accuracy of the information in your FBI criminal history record (if you have such a record).
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the employment, license, or other benefit based on information in the FBI criminal history record.
- If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <http://www.fbi.gov/services/cjis/identity-history-summary-checks> and <https://www.edo.cjis.gov>.
- If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI by submitting a request via <https://www.edo.cjis.gov>. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)
- You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.⁶
- If you need additional information or assistance, please contact:

<p>Connecticut Records: Department of Emergency Services and Public Protection State Police Bureau of Identification (SPBI) 1111 Country Club Road Middletown, CT 06457 860-685-8480</p>	<p>Out-of-State Records: Agency of Record OR FBI CJIS Division-Summary Request 1000 Custer Hollow Road Clarksburg, West Virginia 26306</p>
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⁴ Written notification includes electronic notification, but excludes oral notification.

⁵ <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

⁶ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 34 U.S.C. § 40316 (formerly cited as 42 U.S.C. § 14616), Article IV(c); 28 CFR 20.21(c), 20.33(d) and 906.2(d).

Federal Bureau of Investigation Privacy Act Statement

This privacy act statement is located on the back of the FD-258 fingerprint card.

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

As of 3/30/2018

Note: During the 2021 Legislative Session, the General Assembly passed Public Act 21-92, which has been codified at Connecticut General Statutes Section 10-212i. The new law requires local and regional boards of education, in consultation with local emergency medical services providers and allied health professionals, to develop and implement an emergency action plan for responding to serious and life-threatening sports-related injuries that occur during interscholastic and intramural athletic events. This policy outlines the requirements of such plan, but the particular components of any such plan will be district-specific and should be developed with medical professionals, as required by law.

This is a new policy for NPS and it was reviewed by the Athletic Director.

**Series 4000
Personnel**

**4117
4217**

EMERGENCY ACTION PLAN FOR INTRAMURAL AND INTERSCHOLASTIC ATHLETIC EVENTS

The Newtown Board of Education (the “Board”), in consultation with local emergency medical services providers and allied health professions, authorizes the Administration to develop an emergency action plan to be followed in the event that a student sustains a serious injury or illness while participating in an interscholastic or intramural athletic event. Such plan shall include, but need not be limited to, the following components:

- 1) A list of the school employees, coaches or licensed athletic trainers in each school who will be responsible for implementing the emergency action plan and a description of each person's responsibilities under the plan;
- 2) Identification of the location(s) or venue(s) where the intramural or interscholastic athletic event is taking place;
- 3) A description of the equipment and supplies that may be available at the site of the interscholastic or intramural athletic event that will assist in responding to an emergency, including the location of where such equipment and supplies may be found at such site;
- 4) A description of the procedures to be followed when a student sustains a serious sports-related injury, including, but not limited to, responding to the injured student, summoning emergency medical care, assisting local first responders in getting to the injured student and documenting the actions taken during the emergency;
- 5) A description of the protocols to be followed during cardiac or respiratory emergencies, including the operation of an automatic external defibrillator, use of cardiopulmonary resuscitation or the administration of medication, in accordance with applicable state law and Board policy;

- 6) A description of the protocols to be followed when a student is observed to exhibit signs, symptoms or behaviors consistent with a concussion or is diagnosed with a concussion, in accordance with applicable state law and Board policy;
- 7) A description of the protocols to be followed when a student suffers from a traumatic brain injury or spinal cord injury, provided such protocols are designed to include instructions that are based on the level of training of the person implementing the emergency action plan and are in accordance with best practices and state law; and
- 8) A description of the protocols to be followed in the event of heat and cold-related emergencies, provided such protocols are in accordance with current professional standards.

In developing the emergency action plan, the Administration may also consult recommendations from the governing authority for intramural and interscholastic athletics.

The Board shall annually review such emergency action plan and authorize the Administration to update such plan, as necessary. Any school employee, coach or licensed athletic trainer identified in the emergency action plan shall (1) annually rehearse such emergency action plan, and (2) be certified in cardiopulmonary resuscitation and have completed a course in first aid offered by the American Red Cross, the American Heart Association, the Department of Public Health, any director of health, or an organization using guidelines for first aid published by the American Heart Association and the American Red Cross.

The Board shall distribute the emergency action plan to all school employees, coaches and licensed athletic trainers identified in the emergency action plan. The Board shall also post such emergency action plan in all athletic facilities and at all sites where interscholastic and intramural athletic events will take place, and make such emergency action plan available on the Internet web site for the school district or school.

Legal References

Conn. Gen. Stat. § 10-212i. Emergency action plans for serious and life-threatening sports-related injuries during interscholastic and intramural athletic events

Connecticut Association of Schools, Connecticut Interscholastic Athletic Conference, Medical Handbook 2022-2023, available at https://www.casciac.org/pdfs/CIAC_medical_handbook22-23.pdf.

Adopted:
Revised:

NEWTOWN PUBLIC SCHOOLS
Newtown, Connecticut

Note: During the 2021 Legislative Session, the General Assembly passed Public Act 21-87, which has been codified at Connecticut General Statutes Section 10-149h. Beginning with the 2022-2023 school year, the new law requires any person who holds a coaching permit issued by the State Board of Education and who coaches intramural or interscholastic athletics to (1) complete an exertional heat illness awareness education program before beginning coaching for the season, and (2) review such program annually before the start of each coaching season. The new law also requires local and regional boards of education to implement a model exertional heat illness awareness plan developed by the Connecticut Interscholastic Athletics Conference (“CIAC”). Beginning with the 2022-2023 school year, the new law further requires boards to prohibit a student-athlete from participating in intramural or interscholastic athletics unless the student and the student’s parent or guardian read or view training materials or attend an in-person training. The parent or guardian must also sign an informed consent form, issued by the applicable board of education, acknowledging compliance with this requirement.

This is a best practice policy. Training and implementation of an exertional heat illness awareness education program are mandatory. This policy is new to NPS and it was reviewed by the Athletic Director.

**Series 4000
Personnel**

**4118
4218**

EXERTIONAL HEAT ILLNESS AWARENESS FOR INTRAMURAL AND INTERSCHOLASTIC ATHLETICS

Prior to commencing a coaching assignment for the season, each coach who holds or is issued a coaching permit by the State Board of Education and is a coach of any Newtown Board of Education (“Board”) intramural or interscholastic athletics shall complete an exertional heat illness awareness education program developed or approved by the governing authority for intramural and interscholastic athletics (the “Program”). Such program shall include, but need not be limited to, (1) the recognition of the symptoms of an exertional heat illness, (2) the means of obtaining proper medical treatment for a person suspected of having an exertional heat illness, and (3) the nature and risk of exertional heat illness, including the danger of continuing to engage in athletic activity after sustaining exertional heat illness and the proper method of allowing a student athlete who has sustained exertional heat illness to return to athletic activity.

Any person who holds or is issued a coaching permit by the State Board of Education and is a coach of Board intramural or interscholastic athletics shall annually review the Program.

Upon development by the governing authority for intramural and interscholastic athletics of a model exertional heat illness awareness plan, the Board shall implement such plan by utilizing written materials, online training or videos or in-person training that shall address, at a minimum: (1) the recognition of signs or symptoms of exertional heat illness, (2) the means of obtaining proper medical treatment for a person suspected of an exertional heat illness, (3) the nature and risks of exertional heat illness, including the danger of continuing to engage in athletic activity after experiencing exertional heat illness, (4) the proper procedures for

allowing a student athlete who has experienced exertional heat illness to return to athletic activity, and (5) best practices in the prevention and treatment of exertional heat illness.

The Board shall provide each participating student and each participating student's parent or legal guardian with information regarding exertional heat illness awareness. The Board shall prohibit a student athlete from participating in any intramural or interscholastic activity unless the student athlete, and a parent or guardian of such student athlete, (1) reads written materials, (2) views online training or videos, or (3) attends in-person training regarding exertional heat illness awareness. Acknowledgment of adherence to this standard by the student athlete and the parent or guardian shall be made by the parent's or guardian's signature on an athletic participation informed consent form issued by the Board.

Legal References

Conn. Gen. Stat. § 10-149h. Exertional heat illness awareness education program

Adopted:
Revised:

NEWTOWN PUBLIC SCHOOLS
Newtown, Connecticut

Note: This is a mandatory policy that S & G updated in December 2020 with new statutory references. S & G places this policy in Series 4000--Personnel. When this policy is adopted, Policies 5141.231 and 4118.234, which were adopted in June 2019, should be rescinded.

**Series 4000
Personnel**

4119

PROHIBITION ON RECOMMENDATIONS FOR PSYCHOTROPIC DRUGS

In accordance with Conn. Gen. Stat. § 10-212b, the Board of Education prohibits school personnel from recommending the use of psychotropic drugs for any child. Moreover, personnel may not require that a child obtain a prescription for a controlled substance (as defined in the Controlled Substances Act, 21 U.S.C. § 801 et seq.) in order for the child to: 1) attend school; 2) receive an initial evaluation or reevaluation to determine a child's eligibility for special education; or 3) receive special education and related services. Notwithstanding the foregoing, school health or mental health personnel may recommend that a child be evaluated by an appropriate medical practitioner and school personnel may consult with such practitioner with the consent of the parent(s) or guardian(s) of such child, in accordance with the procedures outlined below.

I. Definitions

For purposes of this policy, the following definitions apply:

- A. Psychotropic drugs means prescription medications for behavioral or social-emotional concerns, such as attentional deficits, impulsivity, anxiety, depression and thought disorders, and includes, but is not limited to, stimulant medication and antidepressants.
- B. Recommend means to directly or indirectly suggest that a child should use psychotropic drugs.
- C. School health or mental health personnel means:
 - 1. school nurses or nurse practitioners appointed pursuant to Conn. Gen. Stat. § 10-212;
 - 2. school medical advisors appointed pursuant to Conn. Gen. Stat. § 10-205;
 - 3. school psychologists;
 - 4. school social workers;
 - 5. school counselors;

6. school administrators;
7. other school personnel (such as a teacher designated as a child's Case Manager) who have been identified by a Planning and Placement Team, Section 504 team, Student Assistance Team or similar group of district professionals as the person responsible for communication with a parent or guardian about a child's need for medical evaluation;
8. a school professional staff member designated by the Superintendent to communicate with a child's parent or guardian about a child's need for medical evaluation.

II. Procedures

- A. A school health or mental health personnel, as defined above, may communicate with other school personnel about a child who may require a recommendation for a medical evaluation, provided that 1) there is a legitimate educational interest in sharing such information; and 2) such communication shall remain confidential, to the extent required by law.
- B. A school health or mental health personnel, as defined above, may communicate a recommendation to a parent or guardian that a child be evaluated by a medical practitioner provided that 1) based on such person's professional experience, objective factors indicate that a medical evaluation may be necessary to address concerns relating to the child's education and overall mental health; and 2) any communication includes the basis for the recommendation.
- C. If a parent or guardian determines that it is necessary to share medical information, including results of any medical evaluation, with school personnel, he or she may do so at any time. School personnel who receive such information directly from a parent must maintain the confidentiality of such information, to the extent required by law.
- D. Any school personnel with a legitimate educational interest in obtaining information from a child's medical practitioner outside the school who is not a school employee must obtain prior, written consent from the child's parent or guardian to communicate with such outside medical practitioners. Any school health or mental health personnel, as defined above, may request written consent from the parent or guardian. To be valid, the written consent must: 1) be signed by the child's parent or guardian; 2) be dated; 3) provide the child's name; 4) provide the name of the medical practitioner and relevant contact information, to the extent known; and 5) indicate the scope of the consent.

Nothing in this policy shall be construed to prevent school personnel from consulting with a medical practitioner who has information concerning a child, as long as the

school district has obtained consent from the parent(s) or guardian(s) of the child, in accordance with Section II.D., above. Nothing in this policy shall prevent a Planning and Placement Team from recommending a medical evaluation as part of an initial evaluation or reevaluation, as needed to determine a child's (i) eligibility for special education and related services, or (ii) educational needs for an individualized education program.

Legal References:

- | | |
|----------------------------|--|
| Conn. Gen. Stat. § 10-76d | Duties and powers of boards of education to provide special education programs and services. |
| Conn. Gen. Stat. § 10-212b | Policies prohibiting the recommendation of psychotropic drugs by school personnel. |
| 34 C.F.R. § 300.174 | Prohibition on mandatory medication. |

Adopted:
Revised:

NEWTOWN PUBLIC SCHOOLS
Newtown, Connecticut

Note: This is a best practice policy by S & G and it was reviewed by the Athletic Director.

**Series 4000
Personnel**

**4120
4220**

**SUDDEN CARDIAC ARREST AWARENESS FOR
INTRAMURAL AND INTERSCHOLASTIC ATHLETICS**

Prior to each season of any Board of Education intramural or interscholastic athletics, each coach who holds or is issued a coaching permit by the State Board of Education and is a coach of any Board of Education intramural or interscholastic athletics, must provide each participating student's parent or legal guardian with a copy of the informed consent form regarding sudden cardiac arrest developed by the State Board of Education and obtain such parent's or legal guardian's signature, attesting to the fact that that such parent or legal guardian has received a copy of such form and authorizes the student to participate in the intramural or interscholastic athletics.

Any person who holds or is issued a coaching permit by the State Board of Education and is a coach of Board of Education intramural or interscholastic athletics shall annually review the sudden cardiac arrest awareness education program developed or approved by the State Board of Education prior to commencing the coaching assignment for the season of such intramural or interscholastic athletics.

Nothing in this policy shall be construed to relieve a coach of intramural or interscholastic athletics of his or her duties or obligations under any provision of the Connecticut General Statutes, the regulations of Connecticut state agencies or a collective bargaining agreement.

Legal References

Conn. Gen. Stat. § 10-149f. Sudden cardiac arrest awareness education program. Consent form.

Conn. Gen. Stat. § 10-149g. Coaches to annually review cardiac arrest education program. Revocation of coaching permit. Immunity from suit and liability.

Adopted:
Revised:

NEWTOWN PUBLIC SCHOOLS
Newtown, Connecticut

Note: This is a best practice policy—certain members of the District are mandatory reporters relative to suspected abuse/neglect of individuals 18-60 years of age with intellectual disabilities or autism spectrum disorder. This model policy was revised in accordance with Public Act 18-96. The Act adds licensed behavior analysts to the list of mandatory reporters, shortens the reporting period to no more than forty-eight (48) hours after there is reasonable suspicion of abuse or neglect, and clarifies that unsuccessful attempts to make a report during the weekend or a holiday shall not be a violation of the law under certain circumstances.

The list of mandated reporters is in [\(a\) of Title 46a-11b](#).

This policy was shared with the Director of Pupil Services.

**Series 4000
Personnel**

**4136
4236**

REPORTS OF SUSPECTED ABUSE OR NEGLECT OF ADULTS WITH AN INTELLECTUAL DISABILITY OR AUTISM SPECTRUM DISORDER

Section 46a-11b of the Connecticut General Statutes requires that certain school personnel report any suspected abuse or neglect of persons between eighteen (18) and sixty (60) years of age who: 1) have an intellectual disability or 2) receive funding or services from the Department of Social Services' ("DSS") Division of Autism Spectrum Disorder Services. In furtherance of this statute and its purpose, it is the policy of the Newtown Board of Education (the "Board") to require ALL EMPLOYEES of the Board to comply with the following procedures in the event that, in the ordinary course of their employment or profession, they have reasonable cause to suspect that a person with an intellectual disability or an individual receiving funding or services from DSS' Division of Autism Spectrum Disorder Services between eighteen (18) and sixty (60) years of age has been abused or neglected.

1. Scope of Policy

This policy applies not only to employees who are required by law to report suspected abuse and/or neglect of adults with intellectual disabilities, but also to ALL EMPLOYEES of the Board.

2. Definitions

For the purposes of this policy:

"Abuse" means the willful infliction of physical pain or injury or the willful deprivation by a caretaker of services which are necessary to the person's health or safety.

"Neglect" means a situation where a person with an intellectual disability either is living alone and is not able to provide for himself or herself the services

which are necessary to maintain his or her physical and mental health, or is not receiving such necessary services from the caretaker.

"Statutorily Mandated Reporter" means an individual required by Conn. Gen. Stat. Section 46a-11b to report suspected abuse and/or neglect of adults with intellectual disabilities. In the public school context, the term "statutorily mandated reporter" includes teachers, school administrators, school guidance counselors, paraprofessionals, licensed behavior analysts, registered or licensed practical nurses, psychologists, social workers, licensed or certified substance abuse counselors, mental health professionals, physical therapists, occupational therapists, dental hygienists, speech pathologists, and licensed professional counselors.

3. Reporting Procedures for Statutorily Mandated Reporters

If a statutorily mandated reporter has reasonable cause to suspect or believe that any person with an intellectual disability, or any individual who receives funding or services from DSS' Division of Autism Spectrum Disorder Services, between eighteen (18) and sixty (60) years of age has been abused or neglected, the mandated reporter shall, as soon as practicable, but not later than forty-eight (48) hours after having reasonable cause to suspect abuse or neglect, make an oral report to:

Abuse Investigation Division
Department of Developmental Services ("DDS")
460 Capitol Avenue
Hartford, Connecticut 06106
Telephone: 1-844-878-8923

An unsuccessful attempt to make an initial report to DDS on the weekend, holiday, or after business hours shall not be construed as a violation of this policy or applicable law if the mandatory reporter makes reasonable attempts to make such report as soon as practicable after the initial attempt. For purposes of this policy, "reasonable attempts" means documented efforts to contact DDS by phone, electronic mail or in person.

The statutorily mandated reporter shall also immediately notify the Superintendent.

Such initial oral report shall be followed by a written report to the Abuse Investigation Division of DDS not later than five calendar days after the initial oral report was made, and a copy of any written report shall be given to the Superintendent.

4. Reporting Procedures for Non-Statutorily Mandated Reporters

The following procedures apply only to employees who are not statutorily mandated reporters, as set forth above.

- a) If an employee who is not a statutorily mandated reporter has reasonable cause to suspect that any person with an intellectual disability, or any individual who receives funding or services from the DSS' Division of Autism Spectrum Disorder Services, between eighteen (18) and sixty (60) years of age has been abused or neglected, the following steps shall be taken.
 - (1) The employee shall as soon as practicable, but not later than forty-eight (48) hours after having reasonable cause to suspect abuse or neglect, make an oral report by telephone or in person to the Superintendent of Schools or his/her designee, to be followed by an immediate written report to the Superintendent or his/her designee.
 - (2) If the Superintendent or his/her designee determines that there is reasonable cause to suspect or believe that any person with an intellectual disability, or any individual who receives funding or services from the DSS' Division of Autism Spectrum Disorder Services, between eighteen (18) and sixty (60) years has been abused or neglected, the Superintendent or designee shall cause reports to be made in accordance with the procedures set forth for statutorily mandated reporters, set forth above.
- b) Nothing in this policy shall be construed to preclude an employee from reporting suspected abuse and/or neglect of adults with intellectual disabilities, or any individual who receives funding or services from the DSS' Division of Autism Spectrum Disorder Services, directly to the Abuse Investigation Division of DDS.

5. Contents of Report

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

- a) the name and address of the allegedly abused or neglected person;
- b) a statement from the reporter indicating a belief that the person is intellectually disabled or receives funding or services from the DSS' Division of Autism Spectrum Disorder Services, together with information indicating that the person is unable to protect himself or herself from abuse or neglect;
- c) information concerning the nature and extent of the abuse or neglect; and
- d) any additional information that the reporter believes would be helpful in investigating the report or in protecting the person with an intellectual

disability or who receives funding or services from the DSS' Division of Autism Spectrum Disorder Services.

6. Investigation of the Report

If the suspected abuser is a school employee, the Superintendent shall thoroughly investigate the report, and shall, to the extent feasible, endeavor to coordinate any such investigation with the investigation conducted by the Abuse Investigation Division of DDS.

The Superintendent's investigation shall include an opportunity for the suspected abuser to be heard with respect to the allegations contained within the report. During the course of an investigation of suspected abuse by a school employee, the Superintendent may suspend the employee with pay or may place the employee on administrative leave with pay, pending the outcome of the investigation.

If the investigation by the Superintendent and/or the Abuse Investigation Division of DDS produces evidence that a person with an intellectual disability, or any individual who receives funding or services from the DSS' Division of Autism Spectrum Disorder Services, has been abused by a school employee, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment.

7. Delegation of Authority by Superintendent

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

8. Disciplinary Action for Failure to Follow Policy

Any employee who fails to comply with the requirements of this policy shall be subject to discipline, up to and including termination of employment.

9. Non-discrimination Policy

The Board shall not discharge or in any manner discriminate or retaliate against any employee who, in good faith, makes a report pursuant to this policy, or testifies or is about to testify in any proceeding involving abuse or neglect.

Legal References:

Connecticut General Statutes:
Section 46a-11a
Section 46a-11b et seq.

Adopted:
Revised:

NEWTOWN PUBLIC SCHOOLS
Newtown, Connecticut

Note: The U.S. Department of Education Office for Civil Rights released a fact sheet in June 2023 regarding meaningful participation in advanced coursework and specialized programs for students who are English learners. In light of this fact sheet, S & G have revised its model policy and administrative regulations in December 2023 to specifically address students who are English learners/multilingual learners and to include additional optional sections related to reducing barriers to opportunities for advanced courses and programs for English learners/multilingual learners.

This Policy is recommended as a revision because the current policies 6141.51 and 6141.52, are S & G policies. The policy has a new number without decimal points. At the time the Board revises the Policy and reviews the Administrative Regulations as an Item of Information, it should rescind Policies 6141.51 and 6141.52. Policy 6144 is one policy that addresses both topics.

Series 6000

6144

Instruction

**POLICY AND ADMINISTRATIVE REGULATIONS
ADDRESSING ENROLLMENT IN AN ADVANCED COURSE OR
PROGRAM AND CHALLENGING CURRICULUM**

The Newtown Board of Education (the “Board”) understands the importance of providing opportunities for students to enroll in an advanced course or program and offering students challenging curriculum in the Newtown Public Schools (the “District”). In accordance with Connecticut law, this policy shall explain the manner in which the District determines eligibility for enrollment in advanced courses or programs and creates academic plans for students in the District.

I. Definitions

For purposes of this policy:

"Advanced course or program" means an honors class, advanced placement class, International Baccalaureate program, Cambridge International program, dual enrollment, dual credit, early college or any other advanced or accelerated course or program offered by the Board in grades nine to twelve, inclusive.

“Advanced placement” program is a program authorized by the College Board that offers college-level courses and exams that students take in high school.

“Cambridge International program” is an internationally recognized academic program for students aged five (5) to nineteen (19). High school level courses, available only through approved Cambridge International Schools, provide students the opportunity to earn postsecondary credit that is accepted by colleges in the United States and abroad.

“Dual credit/Dual enrollment” courses are college courses offered by high schools in partnership with a college or university. Students taking these courses in high

school are simultaneously enrolled with the partner higher education institution. Students who successfully complete a dual credit/dual enrollment course earn credit toward high school graduation as well as college course credit that appears on a student transcript issued by a college or university.

“International Baccalaureate (“IB”) program” is a program that offers international education through four programs for students aged three (3) to nineteen (19). The four programs are: Primary Years, Middle Years, Diploma Program, and Career-related Program. Schools must be authorized to teach IB programs. Every authorized school is known as an IB World School.

"Prior academic performance" means the course or courses that a student has taken, the grades received for such course or courses and a student's grade point average.

II. Eligibility Criteria

Consistent with state law, the District will identify students in grades eight and nine who may be eligible to take or enroll in an advanced course or program. Students will be eligible to enroll in advanced courses or programs throughout their high school career, even if they are not identified as eligible in grades eight or nine.

Eligibility for enrollment in an advanced course or program shall not be based exclusively on a student’s prior academic performance. There are multiple methods by which a student may satisfy the eligibility criteria for enrollment in an advanced course or program, including:

- Recommendations from teachers, administrators, school counselors or other school personnel.
- A student’s prior academic performance, as determined by evidence-based indicators of how a student will perform in an advanced course or program.
- Grade Point Average (GPA) improvement over time.
- Student interests and persistence.
- The District administration may, in its discretion, identify and publicize additional criteria, including but not limited to student or parent request. Any such criteria shall be established prior to the commencement of an academic term.

III. Creation of an Academic Plan/Challenging Curriculum

The District will create an academic plan for each student who is identified in grade eight or nine as eligible for enrollment in an advanced course or program. Such plan will be designed to enroll the student in one or more advanced courses or programs and allow the student to earn college credit or result in career readiness. Such academic plan will also be aligned with:

- The courses or programs offered by the Board,
- The student’s student success plan, created pursuant to Conn. Gen. Stat. § 10-221a(j),
- High school graduation requirements, and

- Any other policies or standards adopted by the Board relating to the eligibility for student enrollment in advanced courses or programs.

The academic plan may be part of the student’s success plan, which plan is required for each student by Conn. Gen. Stat. §10-221a. A student, or the student’s parent or guardian, may decline to implement the provisions of an academic plan created for such student.

IV. Guiding Principles and Implementation

The Board recognizes that course access and academic planning should be guided by considerations beyond traditional course eligibility criteria. Specifically, the Board recognizes that academic achievement and engagement in middle school are strong precursors to high school success. In addition, the Board recognizes the importance of engaging with a student’s parents and/or guardians throughout the student’s educational experience, reducing barriers to opportunities for advanced courses and programs, and providing a wide range of advanced courses that appeal to students with various interests.

The District will utilize practices designed to ensure that eligibility for enrollment in an advanced course or program, including appropriate evaluation and testing procedures, do not screen out students who are English learners/multilingual learners because of their limited English proficiency unless an advanced or specialized program is demonstrated to require proficiency in English for meaningful participation.

The Superintendent or designee shall be responsible for implementing this policy and developing procedures in furtherance of this policy and in accordance with guidance provided by the Connecticut State Department of Education.

Legal Reference:

Connecticut General Statutes § 10-221a

Connecticut General Statutes § 10-221w

Connecticut General Statutes § 10-221x

Connecticut State Department of Education, *District Guidance for Developing an Advanced Course Participation Policy* (April 2022)

United States Department of Education, Office for Civil Rights, *Ensuring Meaningful Participation in Advanced Coursework and Specialized Programs for Students Who Are English Learners* (June 2023)

Adopted:
Revised:

NEWTOWN PUBLIC SCHOOLS
Newtown, Connecticut

**ADMINISTRATIVE REGULATIONS ADDRESSING ENROLLMENT IN AN
ADVANCED COURSE OR PROGRAM AND CHALLENGING CURRICULUM**

The Newtown Board of Education (the “Board”) understands the importance of providing opportunities for students to enroll in an advanced course or program and offering students challenging curriculum in the Newtown Public Schools (the “District”). In accordance with the Board’s Policy Addressing Enrollment in an Advanced Course or Program and Challenging Curriculum, the administration adopts the following regulations:

1. The District will identify students in grades eight and nine who may be eligible to take or enroll in an advanced course or program. Students will be eligible to enroll in advanced courses or programs throughout their high school career, even if they are not identified as eligible in grades eight or nine.
2. Eligibility for enrollment in an advanced course or program shall be based on the following:
 - Recommendations from teachers, administrators, school counselors or other school personnel.
 - A student’s prior academic performance, as determined by evidence-based indicators of how a student will perform in an advanced course or program.
 - Grade Point Average (GPA) improvement over time.
 - Student interests and persistence.
 - The District administration may, in its discretion, identify and publicize additional criteria, including but not limited to student or parent request. Any such criteria shall be established prior to the commencement of an academic term.
3. In addition to or as part of student success plans required by Conn. Gen. Stat. § 10-221a(j), the District will create an academic plan for each student who is identified in grade eight or nine as eligible for enrollment in an advanced course or program. A student, or the student’s parent or guardian, may decline to implement the provisions of an academic plan created for such student.
4. Such academic plan will be designed to enroll the student in one or more advanced courses or programs and allow the student to earn college credit or result in career readiness.

[OPTIONAL: The following sections are optional and reflect guidance and recommendations provided by the Connecticut State Department of Education and the United States Department of Education Office for Civil Rights. Districts may choose to adopt any or all of the recommendations listed herein.]

5. Middle School Preparation: Academic achievement and engagement are strong precursors to high school success. Therefore, the District strives to:

- Coordinate standards, instruction, and expectations across middle and high school by fostering regular communication among faculty districtwide, with a focus on vertical articulation of content across the grades rather than offering courses for high school credit in middle school.***
- Offer career awareness, exploration, and immersion activities that directly align with the high school program of studies.***
- Encourage high school faculty to familiarize themselves with the Smarter Balanced system of assessments and Next Generation Science Standards assessments, including interim assessment blocks, which can be used to measure student understanding and adjust instruction in Grades 9-12.***
- Remind middle school faculty that their messaging to students regarding high school expectations has an impact on students, and assure students that if they are mastering middle school standards, they are prepared academically.***
- Share students' middle school data with high school faculty to improve the quantity and quality of information available for decision making, reduce unnecessary pre-tests and the administration of screening tools, and maximize instructional time.***

6. Partnerships with Families: The District recognizes and values the importance of engaging with a student's family throughout the student's educational experience. Therefore, the District strives to:

- Engage families in the development of student success plans during students' middle school years.***
- Continue and improve upon effective systems of family engagement used in middle school at the high school level.***
- Ensure families are fully aware of the benefits of taking college courses and participating in work-based learning opportunities, if available, during high school.***
- Communicate in a manner that is ongoing and accessible to families (e.g., by providing materials in multiple languages, and having translators available during information sessions, as necessary).***
- Provide families with a variety of options for engaging on the topic of course selection (e.g., large group information sessions, sessions offering more personalized support, and small sessions designed for families that have not experienced college).***

- *Invite students and families to express interest in advanced coursework and discuss those choices along with career options with their school counselors, who can answer questions and serve as an advocate for the students.*
7. *Reducing Barriers: The District recognizes the importance of reducing barriers to opportunities for advanced courses and programs. Therefore, the District strives to:*
- *Provide school counselors and teachers with lists of students identified by the Connecticut State Department of Education as having potential for success in rigorous courses.*
 - *Share descriptive statistics with faculty showing advanced course enrollment over time and disaggregated by student group. These data can be used to track progress, discuss effective strategies, identify challenges, and/or generate potential solutions.*
 - *Urge staff to pay special attention to student interests and coursework fit rather than relying solely on past performance when recommending advanced coursework for students.*
 - *Not exclude students from consideration based on disability status.*
 - *Ensure that eligibility for advanced courses and programs, including appropriate evaluation and testing procedures, do not screen out students who are English learners/multilingual learners because of their limited English proficiency unless an advanced or specialized program is demonstrated to require proficiency in English for meaningful participation.*
 - *Ensure that students who are English learners/multilingual learners receive appropriate language assistance services while participating in advanced courses or programs.*
 - *Communicate directly with students from low-income families that registration fees and exam fees for advanced coursework will be waived.*
 - *Encourage students to self-advocate based on their individual goals and future plans.*
 - *Monitor course registrations throughout the enrollment period and encourage students to reconsider selections if they have potential to be successful in more challenging courses.*
 - *If possible, provide opportunities during the summer for students to prepare for challenging coursework by offering sessions that focus on reviewing study habits, organization, and time management.*
 - *Provide periodic training for all staff members who identify, assist, facilitate, select, counsel, or teach students in advanced courses or programs to provide strategies to remove barriers for participation and provide high-quality instruction to all students, including students who are English learners.*
 - *Schedule advanced courses and programs so that students do not face a scheduling barrier for participation (e.g., scheduling the only AP calculus*

class for the same period as English learner/multilingual learner instruction).

8. *Increasing Supply: The District recognizes the importance of providing a wide range of advanced courses that appeal to students with various interests. Therefore, the District strives to:*

- *Re-evaluate prerequisites so that educators identify what is needed to succeed in the course rather than before the course.*
- *Promote enrollment in advanced courses to students in all grades, including for students who may not have taken an advanced course at the beginning of high school.*
- *Review the current program of studies to identify courses with the potential to be offered in partnership with a college or university.*
- *Consider adding sections of high-interest courses while encouraging teachers of advanced courses to ensure consistency of content and expectations for a diverse set of learners.*
- *Consider offering or expanding work-based learning opportunities for students.*
- *Leverage remote options to expand the range of courses available to students.]*

Legal Reference:

Connecticut General Statutes § 10-221a

Connecticut General Statutes § 10-221w

Connecticut General Statutes § 10-221x

Connecticut State Department of Education, *District Guidance for Developing an Advanced Course Participation Policy* (April 2022)

United States Department of Education, Office for Civil Rights, *Ensuring Meaningful Participation in Advanced Coursework and Specialized Programs for Students Who Are English Learners* (June 2023)

Administrative Regulations Adopted:

Note: S & G developed these regulations prior to 2014 and edited them in 2016 and 2020. The regulations are mandatory for districts that have pools.

These Administrative Regulations were reviewed by the Athletic Director.

Series 1000

1070 R

Community Relations

**ADMINISTRATIVE REGULATIONS REGARDING
POOL SAFETY PLAN**

The Newtown Board of Education (“Board”) establishes these procedures to govern the conduct of any student aquatic activity that takes place in its school swimming pools

I. Definitions:

- A. **School Swimming Pool:** means any swimming pool approved for use by the Board for student aquatic activities;
- B. **Student Aquatic Activities:** means any physical education class, interscholastic athletics or extracurricular activities offered to students by the Board that makes use of a school swimming pool;
- C. **Qualified Swimming Coach:** means any person who (A) holds a valid coaching permit issued by the State Board of Education, and (B) (i) is certified as a lifeguard by the American Red Cross or another nationally recognized organization that conducts aquatic training programs, (ii) has completed a safety training for swim coaches and instructors course offered by the American Red Cross or an organization approved by the State Board of Education, or (iii) was certified as a lifeguard for at least five years during the previous ten years and has at least five years' experience as a swimming coach or an instructor of a physical education course that makes use of a school swimming pool;
- D. **Qualified Educator:** means any person who (A) holds a valid certificate issued by the State Board of Education, pursuant to section 10-145b of the general statutes, with an endorsement in physical education, (B) (i) is certified as a lifeguard by the American Red Cross or another nationally recognized organization that conducts aquatic training programs, (ii) has completed a safety training course for swim coaches and instructors course offered by the American Red Cross or an organization approved by the State Board of Education, or (iii) was certified as a lifeguard for at least five years during the previous ten years and has at least five years' experience as a swimming coach or an instructor of a physical education course that makes use of a school swimming pool, (C) is certified in

cardiopulmonary resuscitation, pursuant to section 19a-113a-1 of the regulations of Connecticut state agencies, as amended from time to time, and (D) has completed a course in first aid offered by the American Red Cross, the American Heart Association, the Department of Public Health or any director of health;

- E. **Qualified Lifeguard:** means any person who (A) is sixteen years of age or older, (B) is certified as a lifeguard by the American Red Cross or another nationally-recognized organization that conducts aquatic training programs, (C) is certified in cardiopulmonary resuscitation, pursuant to section 19a-113a-1 of the regulations of Connecticut state agencies, as amended from time to time, and (D) has completed a course in first aid offered by the American Red Cross, the American Heart Association, the Department of Public Health or any director of health.

II. Mandatory Supervision

- A. In addition to the person responsible for conducting any student aquatic activity that makes use of a Board school swimming pool, there shall be at least one qualified educator, qualified swimming coach or qualified lifeguard who shall be solely responsible for monitoring such school swimming pool during such student aquatic activities for swimmers who may be in distress and providing assistance to such swimmers when necessary.
- B. Any physical education course that makes use of a Board school swimming pool shall have at least one qualified educator who shall serve as the instructor of such physical education course and be responsible for implementing the provisions of the school swimming pool safety plan, and at least one qualified educator, qualified swimming coach or qualified lifeguard whose primary responsibility is to monitor the school swimming pool for swimmers who may be in distress and provide assistance to such swimmers when necessary.
- C. Any interscholastic athletic activity that makes use of a Board school swimming pool shall have at least one qualified swimming coach who shall serve as a coach of the participating students and be responsible for implementing the provisions of the school swimming pool safety plan, and at least one qualified educator, qualified swimming coach or qualified lifeguard whose primary responsibility is to monitor the school swimming pool for swimmers who may be in distress and provide assistance to such swimmers when necessary.
- D. Any extracurricular activity that makes use of a Board school swimming pool shall have at least one qualified lifeguard who will monitor the school swimming pool for swimmers who may be in distress and provide

assistance to such swimmers when necessary, and be responsible for implementing the provisions of the school swimming pool safety plan.

III. Plan Review

The Board's Pool Safety Plan shall be reviewed and updated as necessary prior to the commencement of each school year.

Legal References:

State Law:

Conn. Gen. Stat. § 10-2201

Adopted:

Revised:

NEWTOWN PUBLIC SCHOOLS

Newtown, Connecticut