

5145.123

**Students****Search and Seizure****Use of Metal Detectors**

When the administration has reasonable cause to believe that weapons are in the possession of unidentified students, when there has been a pattern of weapons found at school or when violence involving weapons has occurred at the school or at school sponsored events, the administration shall be authorized to use stationary or mobile metal detectors in accordance with procedures approved by the Board. Any search of a student's person as a result of the activation of the detector shall be conducted in private in accordance with the policy on personal searches.

Upon enrollment and at the beginning of each school year, students and parents/guardians shall receive notice that the district uses metal detector checks as part of its program to promote safety and deter the presence of weapons. Signs shall be posted at all schools to explain that anyone may be scanned by metal detector for guns, knives or other illegal weapons when on campus or attending athletic or extracurricular events.

(cf. 5145.12 - Search and Seizure)

**Legal Reference: Connecticut General Statutes**

10-221 Boards of education to prescribe rules.

*New Jersey v T.L.O.*, 53 U.S.L.W. 4083 (1985)

PA 94-115 An Act Concerning School Searches.

**Policy adopted:**

5145.15

## Students

### Directory Information

Directory information, as defined below, may be disclosed by Preston Public Schools without prior written consent unless the district is notified in writing to the contrary.

**“Directory information”** means one or more of the following items: student’s name, address, telephone number, age and place of birth, major field(s) of study, participation in officially recognized activities and sports, photographic, computer and/or video images, grade levels, electronic mail address, weight and height of members of athletic teams, dates of attendance, degrees and awards received, including honor roll publication, and the most recent previous public or private school attended by the student, parent’s name and/or email address.

A student’s Social Security Number or student ID number is prohibited from designation as directory information.

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

### Public Notice

Preston Public Schools will give annual public notice to parents/guardians of students in attendance. The notice shall identify the types of information considered to be directory information and the District’s option to release such information. Such notice will be given prior to the release of directory information.

### Exclusions

Exclusions from any or all directory categories named as directory information must be submitted in writing to the Principal by the parent/guardian, within ten days of the annual public notice.

(cf. 5125 - Student Records; Confidentiality)

### Legal Reference: Connecticut General Statutes

1-210 (11) Access to public records. Exempt records.

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

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g and Final Rule 34 CFR Part 99, December 9, 2008).

P.L. 106-398, 2000 H.R. 4205: The National Defense Authorization Act for Fiscal Year 2001.

P.L. 107-110 “No Child Left Behind Act” Title IX, Sec. 9528.

**Policy adopted: 4-2-12**

**Students**

**Student Records; Confidentiality**

**NOTIFICATION OF RIGHTS UNDER FERPA**

**Preston Public Schools**

Preston, Connecticut

Dear Parent or Student:

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

A. The right to inspect and review the student's education records within 45 days of the day the district receives a request for access.

B. Parents or eligible students should submit to the school Principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The Principal will

make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

C. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading.

D. Parents or eligible students may ask school district to amend a record that they believe is inaccurate or misleading. They should write the school Principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

E. If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

F. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

G. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel).

5131.11

**Students****Conduct****Video Cameras on School Buses**

The Board of Education recognizes the district's continuing responsibility to maintain and improve discipline, and ensure the health, welfare and safety of its staff and students on school transportation vehicles.

The Board of Education after having carefully weighed and balanced the rights of privacy of students and staff with the district's duty to ensure discipline, health, welfare and safety of staff and students on school transportation vehicles supports the use of video cameras on its transportation vehicles.

Video cameras may be used to monitor student behavior on school transportation vehicles transporting students to and from school and extracurricular activities.

Students in violation of district conduct rules shall be subject to disciplinary action in accordance with established Board of Education policy and administrative regulations governing student conduct and discipline.

The district shall comply with all applicable state and federal laws related to video recordings when, as determined by the district and in accordance with law, such recordings are considered for retention as a part of the student's behavioral record. Such records will also be subject to established district student records procedures including access, review and release of such records.

The Superintendent shall develop procedures for the notification of staff, students, parents and others as necessary pertaining to the use of video cameras on school transportation vehicles and such other procedures as may be required for the implementation of this policy.

**Legal Reference: Connecticut General Statutes**

10-221 Boards of Education to prescribe rules  
Education of the Handicapped Act of 1975, as amended.  
Individuals with Disabilities Education Act.  
Family Educational Rights and Privacy Act.

**Policy adopted: 5/12/08**

5131.111

## Students

### Conduct

#### Video Surveillance

The Board of Education recognizes the district's responsibility to maintain order and discipline on school property and in school vehicles. The Board also desires to afford students and staff privacy in respect to the records maintained by the district. The Board recognizes the value of electronic surveillance systems in monitoring activity on school property and in school vehicles in protecting the health, welfare and safety of its students and staff. The students and staff of the district recognize that their security and safety depends upon the capacity of the district to maintain discipline and that a certain amount of restraint upon the activities of students is assumed and expected.

The Board of Education having carefully weighed and balanced the rights of privacy of students and staff against the district's duty to maintain order and discipline, finds that it is appropriate to provide for the use of video camera surveillance in its transportation vehicles and on school grounds as follows:

1. The district shall notify its students, staff and the public that video surveillance may occur on any school property or on any transportation vehicle. The district shall incorporate said notice, in such places as, but not limited to, in the student handbook, district calendar, staff handbook and district website;
2. The use of video surveillance equipment on transportation vehicles shall be supervised by the district transportation supervisor. The use of video surveillance equipment on school grounds and on other district property shall be supervised and controlled by the Superintendent of Schools;
3. The use of video recordings from surveillance equipment shall be subject to the other policies of the district including policies concerning the confidentiality of student and personnel records;
4. Video surveillance shall only be used to promote the order, safety and security of students, staff and property.

#### Legal References:

(cf. 4112.6/4212.6 – Personnel Records)

(cf. 5125 – Student Records)

(cf. 5131.1 – Bus Conduct)

(cf. 5131.11 – Video Cameras on School Buses)

Family Educational Rights and Privacy Act, sec. 438, 20 U.S.C. sec. 1232g (1988)

**Policy adopted: 5-14-12**

5145.2

## Students

### Freedom of Speech/Expression

The school district shall recognize and protect the rights of student expression. It will balance these rights with the interests of an orderly and efficient educational process and of a school environment suitable for healthy growth and development of all students.

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

Printed material produced or distributed on school district property shall be noncommercial, bear the names of at least two students Principally involved in the promotion of this material, and, when applicable, the name of the sponsoring student organization or group.

Printed material produced or distributed within the confines of school district property shall not:

- A. contain libelous or obscene language;
- B. advocate illegal actions;
- C. contain false statements or innuendoes that would subject any person to hatred, ridicule, contempt, or injury to reputation;
- D. threaten imminent disruption of the school's educational process;
- E. advocate actions which would endanger student health or safety;
- F. invade the lawful rights of others;
- G. be sold on school property — nor can material which solicits funds or donation be circulated.

Distributors of materials will be held responsible for cleaning up litter caused by such distribution.

(cf. 1220 Citizens' Advisory Committees)

(cf. 1312 Public Complaints)

(cf. 6144 Controversial Issues)

(cf. 6161 Equipment, Books, and Materials: Provision/Selection)

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

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

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

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

*Faragher v. City of Boca Raton*, No. 97-282 (U.S. Supreme Court, June 26, 1998)

## Personnel - Certified/Students

### Psychotropic Drug Use

Psychotropic drugs are prescription medications for behavioral or social-emotional concerns, such as attention deficits, impulsivity, anxiety, depression and thought disorders, and includes, but is not limited to stimulant medications and anti-depressants. Except for personnel identified in the following paragraph, staff may not recommend psychotropic drugs for students. "Recommend" shall mean to directly or indirectly suggest that a child use or needs psychotropic drugs. However, school health or mental health personnel, including school nurses or nurse practitioners, the District's Medical Advisor, Special Education Coordinator, school psychologists, school social workers, and school counselors may recommend a student be evaluated by an appropriate medical practitioner.

Communications among school health, mental health and other school personnel pertaining to a student recommendation for medical evaluation shall be through established child study teams and/or the planning and placement team in conformity with state and federal special education statutes. Such procedures shall be consistent with all mandatory and existing procedures and due process safeguards governing assessment and diagnosis. Further, upon written consent of parents or guardian, school personnel may consult with the medical practitioner as requested.

In addition, the Planning and Placement Team (PPT) may recommend a medical evaluation as part of an initial evaluation or reevaluation, to determine a child's eligibility for special education and related services or educational needs for an individualized education program (IEP). Parental/guardian refusal for administration of any psychotropic drug to the child are not grounds for a referral to the Department of Children and Families (DCF) unless such refusal causes such child to be neglected or abused, as defined in C.G.S. 46b-120.

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

(cf. 5141.4 - Reporting of Child Abuse and Neglect)

#### Legal Reference: **Connecticut General Statutes**

10-212b Policies prohibiting the recommendation of psychotropic drugs by school personnel. (as amended by PA 03-211)

46b-120. Definitions

10-76a Definitions.

10-76b State supervision of special education programs and services.

10-76d Duties/powers of boards to provide special education programs and services. 10-76h Special education hearing and review procedure. Mediation of disputes. (as amended by PA 00-48)

State Board of Education Regulations.

34 C.F.R. 3000 Assistance to States for Education for Handicapped Children.

American with Disabilities Act, 42 U.S.C. §12101 et seq.

5145.5

## Students

### Exploitation/Sexual Harassment

**General.** Any form of sexual harassment is forbidden by students, regular and contracted district employees, and school volunteers. Students shall exhibit conduct which is respectful and courteous to employees, to fellow students, and to the public.

**Definition.** Sexual harassment is any unwelcome conduct of a sexual nature, whether verbal or physical, including, but not limited to:

- A. insulting or degrading sexual remarks or conduct;
- B. threats or suggestions that a student's submission to, or rejection of, unwelcome conduct will in any way influence a decision regarding that student;
- C. conduct of a sexual nature which substantially interferes with the student's learning or creates an intimidating, hostile, or offensive learning environment — such as the display in the educational setting of sexually suggestive objects or pictures.

**Complaints Procedures.** The Board of Education encourages victims of sexual harassment to report such claims promptly to the Principal, the Superintendent of Schools, or the Title IX Coordinator/s. Complaints shall be investigated promptly and corrective action taken when allegations are verified. Confidentiality shall be maintained, and no reprisals or retaliation shall occur as a result of good faith charges of sexual harassment.

The district shall provide staff development for district administrators and other staff and annually shall distribute this policy to staff and students.

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

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

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

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

*Faragher v. City of Boca Raton*, No. 97-282 (U.S. Supreme Court, June 26, 1998)

*Burlington Industries, Inc. v. Ellerth*, No. 97-569, (U.S. Supreme Court, June 26, 1998)

*Gebbs v. Lago Vista Indiana School District*, No. 99-1866, (U.S. Supreme Court, June 26, 1998)

#### Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

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

**Policy adopted: 2/9/09**



as outlined above.

E. All complaints are to be forwarded immediately to the Principal with a copy to the Superintendent of Schools — unless the principal is the subject of the complaint, in which case the complaint should be forwarded to the Superintendent of Schools.

F. If possible, within five (5) working days of receipt of the complaint, the staff member assigned by the Superintendent to investigate the complaint shall commence an effective, thorough, objective, and complete investigation. The investigator shall consult with individuals believed to have relevant information, including the student and the alleged harasser, any witnesses to the conduct, and victims of similar conduct that the investigator reasonably believes may exist. The investigation shall be free of stereotypical assumptions about either party and shall be conducted discretely, maintaining confidentiality while still conducting an effective and thorough investigation. Throughout the investigative process, the due process rights of the alleged harasser will be protected.

G. The investigator shall make a written report to the Superintendent of Schools summarizing the results of the investigation and the proposed disposition of the complaint with copies or the written report to the complainant, the alleged harasser, and, as appropriate, to others directly concerned.

H. If the student complainant is dissatisfied with results of an investigation, he or she may file a written appeal to the Superintendent who shall review the investigator's written report, information collected by the investigator and the recommended disposition of the complaint to determine whether the alleged conduct constitutes harassment.

I. The Superintendent may, if as necessary, also conduct a follow-up investigation, including interviewing the complainant, the alleged harasser, and witnesses with relevant information. After completing this review, the Superintendent shall respond in writing as soon as to the complainant.

If after a thorough investigation, there is reasonable cause to believe that sexual harassment has occurred, the district shall take reasonable actions to ensure the harassment ceases and will not recur. Actions taken in response to findings of harassment may include reassignment, transfer, disciplinary action, or warnings that appropriate action shall be taken if further acts of harassment or retaliation occur.

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

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

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

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

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