

BOARD OF EDUCATION  
FAIRFIELD PUBLIC SCHOOLS  
FAIRFIELD, CT

**Policy Committee Meeting**

**Monday, March 7, 2016**  
**4:30 p.m.**  
501 Kings Highway East  
Superintendent's Conference Room

**Agenda**

- I. Call to Order
- II. Approval of February 22, 2015 Meeting Minutes
- III. Policy
  - Policy #5125.11 Students – Health/Medical Records, Mandated Policy  
Recommended by CABE
  - Policy #5131.7 Students – Weapons and Dangerous Instruments, Mandated Policy  
Recommended by CABE
- IV. Open Discussion/Public Comment
- V. Adjournment
- VI. Future Items

Future Mtg. Dates and Times: *All meetings will be on Mondays, starting at 4:30 unless otherwise noted;* **March 28**, April 18, May 2, May 9, May 23, June 13, August 29, September 12, September 26, October 10, November 7, December 5, 2016.

All meetings will be held at 501 Kings Highway East, Superintendent's Conference Room unless otherwise noted.

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**Policy Committee Meeting**

**Monday, February 22, 2016  
4:30 p.m.**

**Minutes**

I. Call to Order – *The meeting was called to order at 4:43 by Jennifer Kennelly. Anthony Calabrese was in attendance and Karen Parks represented the administration.*

II. Approval of January 25, 2015 Meeting Minutes – *Approved 2:0:0*

III. Policy

- Policy #1410 Recommended for deletion, Identical to Policy #5541 (Recodify to 5145.15) *Moved to the BOE for a first Read, 2:0:0*
- Policy #5127 Recommended for deletion, Identical to Policy #6550 (Recodify to 6141.312) *Moved to the BOE for a first Read, 2:0:0*
- Policy #1145 Recommended for deletion, Identical to Policy #6416 (Recodify to 6141.322) *Moved to the BOE for a first Read, 2:0:0*
- Policy #1140 Recommended for deletion, Identical to Policy #6555 (Recodify to 6145.3) *Moved to the BOE for a first Read, 2:0:0*
- Policy #1470 Recommended for deletion, Identical to Policy #6421 (Recodify to 6162.51) *Moved to the BOE for a first Read, 2:0:0*
- Policy #0120 and Policy #5550 Recommended for deletion, Identical to Policy #6213 (Recodify to #6161.3) *Moved to the BOE for a first Read, 2:0:0*

IV. Open Discussion/Public Comment - *None*

V. Adjournment - *Meeting adjourned at 5:30 P.M.*

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*A mandated sample policy to consider pertaining to HIPAA.*

## **Students**

### **Health/Medical Records**

When applicable, District schools will comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to maintain the privacy of protected health information that it receives, obtains, transmits or sends. The Board of Education designates the \_\_\_\_\_ as its HIPAA Privacy Officer.

Student education records, including personally identifiable health information, maintained by the District is subject to and protected by the Family Educational Rights and Privacy Act (FERPA). Both the United States Department of Health and Human Services and the United States Department of Education Family Policy Compliance Office have stated that student records under FERPA are not subject to HIPAA. Therefore, District schools will comply with FERPA's confidentiality provisions rather than HIPAA's.

The District will seek Medicaid eligibility information to determine if services to a student may be billed. Bills will be processed electronically for Medicaid reimbursement for qualified services to eligible special education students. The District will comply with HIPAA's electronic transactions requirements. Procedures and safeguards will be developed to protect the privacy of health information and prevent wrongful user and disclosure. At a minimum, the policy and procedure for student records will comply with the Family Educational Rights and Privacy Act of 1974 (FERPA) with assurances that the District has obtained authorization from the parent or adult student prior to the release of protected health information for the purpose of Medicaid billing. Individuals involved in the Medicaid billing process for the District shall be trained on the privacy procedures. Discipline shall be imposed, up to and including discharge, for staff that wrongfully uses or discloses protected health information.

(cf. 3231 – Medical Reimbursement for Special Education Students)

(cf. 5125 – Student Records; Confidentiality)

Legal Reference:      Connecticut General Statutes  
                                 1-19(b)(11) Access to public records. Exempt records.  
                                 10-15b Access of parent or guardians to student's records.  
                                 10-154a Professional communications between teacher or nurse & student.  
                                 10-209 Records not to be public  
                                 46b-56 (e) Access to Records of Minors.  
  
                                 Connecticut Public Records Administration Schedule V - Disposition of  
                                 Education Records (Revised 1983).  
  
                                 Federal Family Educational Rights and Privacy Act of 1974 (section 438 of  
                                 the General Education Provisions Act, as amended, added by section 513 of  
                                 P.L. 93-568, codified at 20 U.S.C.1232g.).

## Students

### Health/Medical Records

Legal References: (continued)

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. provisions act (20 U.S.C. 1232g)-parent and student privacy and other rights with respect to educational records, as amended 11/21/96.

USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C. §2332b(g)(5)(B) and 2331

PL 107-110 “No Child Left Behind Act of 2001” Sections 5208 and

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

65 Fed. Reg. 50312-50372

65 Fed. Reg. 92462-82829

63 Fed. Reg. 43242-43280

67 Fed. Reg. 53182-53273

Policy adopted:

cps 6/03

*A mandated policy to consider.*

## Students

### Weapons and Dangerous Instruments

The Board of Education determines that possession, concealment, and/or use of a weapon by a student is detrimental to the welfare and safety of the students and school personnel within the district. Possession and/or use of any dangerous or deadly weapon, firearm, or destructive device in any school building on school grounds, in any school vehicle, or at any school-sponsored activity is prohibited.

Such weapons include but are not limited to any pistol, revolver, rifle, shotgun, air gun or spring gun; slingshot; bludgeon; brass knuckles or artificial knuckles of any kind; knives having a blade of greater than two inches, any knife the blades of which can be opened by a flick of a button or pressure on the handle, or any pocketknife where the blade is carried in a partially opened position; martial arts weapon; destructive device.

**Alternate language:** A “dangerous weapon” is any weapon, device, instrument, material or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious injury. A “deadly weapon” is any instrument, article or substance specifically designed for and presently capable of causing death or serious injury.

Pursuant to federal law, the term firearm includes, but is not limited to, any weapon designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or destructive device. A student who violates this policy will be reported to law enforcement authorities.

A “destructive device” is considered any device with an explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into any destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device which is designed primarily for use as a signaling, pyrotechnic, line-throwing, safety or similar device.

The possession or use of any such weapon or devices will require that the proceedings for the suspension and/or expulsion of the student involved will be initiated immediately by the principal. If the student is found to have possessed a firearm or other dangerous weapon as defined in Connecticut General Statutes 53a-3 in violation of 29-35 or 53-206, in or on the real property of a school or at any school activity as defined in Connecticut General Statutes 10-233a, he/she must be expelled for one calendar year. The Board of Education or hearing board may modify the period of expulsion on a case by case basis. To comply with federal law, any finding of an exception shall be reduced to writing. All legal restrictions and requirements will be adhered to pertaining to special education students.

The Board shall consider a student's conduct off school grounds that is seriously disruptive of the educational process or is violative of publicized policies of the Board as grounds for expulsion.

## Students

### Weapons and Dangerous Instruments (continued)

#### *Additional optional language to consider:*

Weapons under the control of law enforcement personnel are permitted. The Superintendent may authorize other persons to possess weapons for courses, programs and activities approved by the District and conducted on District property.

In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A “school zone” is defined by federal law, means in/on school grounds or within 1,000 feet of school grounds.

“Gun-Free School Zone” signs will/may be posted in cooperation with city/town officials as appropriate. Violations, unless otherwise excepted by law or this policy, shall be reported to the appropriate law enforcement agency.

(cf. 5114 - Suspension/Expulsion)

(cf. 5145.12 - Search and Seizure)

Legal Reference: Connecticut General Statutes  
 10-221 Boards of education to prescribe rules.  
 10-233a through 10-233f - Expulsion as amended by PA 95-304  
 53a-3 Definitions.  
 53a-217b - Possession of firearms and deadly weapons on school grounds  
 53-206 Carrying and sale of dangerous weapons.  
 PA 94-221 An Act Concerning School Discipline and Safety.  
 Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q)  
 (2006)  
 GOALS 2000: Educate America Act  
 18 U.S.C. 921 Definitions.  
 USCA 7151 – No Child Left Behind Act  
 Youth Handgun Safety Act, 18 U.S.C. §§ 922(x), 924(a)(6) (2006)  
 Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-  
 7117

Policy adopted:

rev 5/03

rev 2/13