

Policy Sub-Committee Agenda
Tuesday, October 29, 2024 5:00 PM Eastern

BOE Conference Room
Municipal Building
3 Primrose Street
Newtown, CT 06470

1. **CALL TO ORDER**
2. **PUBLIC PARTICIPATION**
3. **APPROVAL OF MINUTES**
 - 3.A. **Minutes of October 16, 2024**
4. **DISCUSSION AND POSSIBLE ACTION**
 - 4.A. Policies Recommended for First Read
 - 4.A.1. **1010 Automatic External Defibrillators**
5. **PUBLIC PARTICIPATION**
6. **ADJOURN**

Special Meeting
Board of Education
Policy Sub-Committee Meeting
October 16 , 2024

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

MINUTES

Attendance:

Anne Uberti, Superintendent
Dr. JeanAnn Paddyfote, Transition Administrator
Doria Linnetz, Policy Chair
Alison Plante, Board Member
Sarah Connell
1 Public

1. Call to Order

- a. D. Linnetz called the meeting to order at 5:00 pm.

2. Public Participation

- a. Deborra Zukowski, Newtown, reminded the committee that if they decide to rescind Policy 3171.1 then they need to review Policy 3160 as well because there is a reference.

3. Approval of Minutes of October 1, 2024 and October 8, 2024

MOTION: A.Plante made a motion to approve the minutes of October 1, 2024. D.Linetz seconded the motion.

- a. D. Linnetz noted that the minutes did not reflect the conversation regarding Policy 4118.11. At that meeting, J. Paddyfote explained that this policy is recommended for adoption now because it is referenced in policies in the 5000 series.

Motion passes unanimously.

MOTION: A. Plante made a motion to approve the minutes of October 8, 2024. D. Linnetz seconded the motion. Motion passes unanimously.

4. Discussion and Possible Action

A. Policies Recommended for First Read

1. 1010 Automatic External Defibrillators
 - a. J. Paddyfote stated that Newtown currently has this policy in the 5000 series. Shipman and Goodwin places this policy in Series 1000 - Community. The reason for this is because AEDs are not only for students, but also for visitors to schools and anyone who attends school-sponsored events.
 - b. J.Paddyfote reviewed this policy with Newtown's Nurse Supervisor, Karen Powell and agreed it was acceptable. K. Powell noted that she liked the forms that Shipman and Goodwin provided and Newtown will switch to those forms.
 - c. D. Linnetz and A.Plante did not have any feedback regarding this policy.
2. 5114 Student Discipline
 - a. J. Paddyfote reported that Shipman and Goodwin revised this policy to reflect a number of changes made by Public Act 24-45 and Public Act 24-93 related to

student discipline. If this policy was to be adopted, she advised the Board to rescind Policy 5114–Suspension and Expulsion/Due Process; Policy 5131.5–Vandalism; Policy 5131.7–Weapons and Dangerous Instruments; Policy 5131.8–Off School Grounds Misconduct; Policy 5145.2–Activism and Dissent; and Policy 5145.31–Gambling.

- b. J. Paddyfote also noted that the forms at the end were very informative and thought the District would appreciate them.
 - c. D. Linnetz did not have any feedback regarding this proposed policy.
 - d. A.Plante stated that she likes that the policies are all consolidated into one. D.Linnetz also agreed and recommended giving the Board the policy numbers that will be rescinded beforehand so they are aware of all of the changes.
3. 5115 Student Use of the District’s Computer Systems and Internet Safety
- a. J.Paddyfote stated that Newtown’s current policy refers to staff as well and this policy only refers to students. It does not commingle with staff and students.
 - b. A.Plante asked if there was anything specific to grade 5 for the forms. The forms currently say Grade 5-12. J.Paddyfote and A.Uberti answered that grade 5 students are able to bring their devices home. Also, the forms live in PowerSchool.
4. 5127 Fundraising Activities
- a. J. Paddyfote reported that Newtown has a current policy, Policy 3281.2 that includes language about crowdfunding. Shipman and Goodwin recommend having this policy in the 5000 series because fundraisers affect students, no matter who does the fundraising.
 - b. J. Paddyfote continued by stating that if this policy was adopted, Newtown should rescind the following policies: Policy 3281, Policy 3281.2, and Policy 1314/1324.
 - c. D. Linnetz asked how the high school fundraisers were handled. Do they need to be approved every year by Dr. Longobucco? A.Uberti answered that they do approve each fundraiser each year. It is all about checks and balances.
 - d. The committee had a discussion about crowdfunding and what was considered acceptable.
 - e. A. Plante asked if the Principals were aware of this policy. A.Uberti answered that she will be bringing in all adopted policies to future A-Team meetings to make the Admin Team aware of the changes in policy.
5. 5129 Field Trips
- a. A. Plante stated that there should be an edit in the third paragraph that states that all public solicitation of funds shall be approved by the building principal.
 - b. There were no additional comments from the committee on this policy.
6. 5137 Bullying Prevention and Intervention Policy
- a. J. Paddyfote recommends adopting the Shipman and Goodwin model policy and rescinding the following policies: Policy 5131.911 - Bullying and Policy 5131.914 - Safe School Climate Plan. J. Paddyfote noted the Safe School Climate Plan is an Administrative Regulation to the policy.
 - b. The current Safe School Climate Plan has not been renewed since 2017 and needs to be updated.
 - c. D. Linnetz asked when J.Paddyfote recommended Newtown adopting the new School Climate Policy. J.Paddyfote answered that it should be at the end of the school year with the new definitions. Every district will have the same Connecticut School Climate Policy written by CABE.
 - d. A.Plante asked if there were any inconsistencies with our training for Safe School Climate. A.Uberti answered that the district is extremely strong in the training on this topic and goes above and beyond with their committee requirements.

7. 5141.21 Administration of Student Medications in the Schools
 - a. J.Paddyfote reported that Newtown currently has a Shipman and Goodwin model policy for Policy 5141.21. There will not be major changes to the proposed policy. J. Paddyfote described them mostly as technical updates.
 - b. D. Linnetz asked J.Paddyfote if she knew why sunscreen was not included in this policy. J.Paddyfote answered that there was a Public Act in 2019 that was approved that allowed children 6 or older to apply their own sunscreen. As for medicine, the parent and/or nurse can only administer the medicine to the student. The best practice for sunscreen application is a form that the parent fills out annually.
 - c. J.Paddyfote continued by stating that she asked Newtown's Nurse Supervisor to review the sunscreen policy and she was satisfied with it. She recommended including language that states that the parent should label the sunscreen with the child's name, teacher and grade.
8. 5145.12 Search and Seizure
 - a. J.Paddyfote recommended adopting this policy for consistency purposes. This policy incorporates language about breathalyzers and dogs on property. If this policy was adopted, it is her recommendation to rescind those policies.
9. 5146 Policy to Improve Completion Rates of the Free Application for Federal Student Aid (FAFSA)
 - a. Newtown does not have this policy. It will not become a requirement until 2027. J.Paddyfote reviewed this policy with Dr. Longobucco.
 - b. D. Linnetz asked about the reference to a task force. J. Paddyfote answered that it would most likely be the guidance counselors.
 - c. According to this policy, the Superintendent will provide a report to the Board annually.

MOTION: A. Plante moved that send the policies listed 4.a #1-9, on our agenda to the full Board for a first read. D. Linnetz seconded. Motion passes unanimously.

B. Items of Information

1. 1010 R Administrative Regulations Regarding Automatic External Defibrillators
2. 5114 R Administrative Regulations Regarding Alternate Educational Opportunities for Expelled Students
3. 5115 R Administrative Regulations Regarding Student Use of the District's Computer System and Internet Safety
4. 5127 R Administrative Regulations Concerning Fundraising Activities
5. 5129 R Administrative Regulations Regarding Field Trips
6. 5137R Administrative Regulations Regarding Safe School Climate Plan
7. 5145.12 R Administrative Regulations Regarding Search and Seizure
8. 5146 R Administrative Regulations to Improve Completion Rates of the Free Application for Federal Student Aid (FAFSA)

MOTION: A. Plante moved to send the administrative regulations listed 4.b #1-8, on our agenda as items of information for the full Board for a first read. D.Linetz seconded. Motion passes unanimously.

C. Policies to Rescind upon Adoption of Policies in Item A Above or Due to Statutory Changes or Review of Administrative Regulations

1. 1314/ Fundraising and Solicitation–Guidelines Pertaining to 7-12 Athletics
1324
2. 3281 School Fundraisers
3. 3281.2 School Fundraisers, Online Fundraising Campaigns-Crowdfunding
4. 5114 Suspension and Expulsion/Due Process
5. 5131.5 Vandalism
6. 5131.7 Weapons and Dangerous Instruments
7. 5131.8 Off School Grounds Misconduct
8. 5145.12 Search and Seizure
9. 5145.122 Use of Dogs to Search School Property
10. 5145.124 Breathalyzer Testing
11. 5141.27 Use of External Automatic Defibrillators
12. 5145.2 Activism and Dissent
13. 6141.321 Responsible Computer, Network and Internet Use
14. 6153 Field Trips

MOTION: A. Plante moved to propose rescinding policies listed in 4.C #1-14, also adding Policy 5131.911 and Policy 5131.914 on our agenda to be rescinded and send them to the Board for a first read. D. Linnetz seconded the motion. Motion passes unanimously.

- D. Policy to Rescind at the time of Approval of Policies for Second Read and Reviewed at the October 1, 2024, Policy Committee Meeting
 - A. Plante asked the committee to review each policy that is being recommended to rescind so they can provide more insight to the Board. The committee agreed.
 1. 5145.14 On-Campus Recruitment
 - i. J.Paddyfote stated that this policy is not a mandated policy and the language that is mandated is currently in the student confidentiality policy.
 - ii. The committee agreed they are comfortable rescinding this policy.
- E. Non-Mandated Policies to Rescind after Board Adoption of Policies Listed in 4.A.
 1. 5131.82 Restrictions on Publications and Written or Electronic Material
 - i. J.Paddyfote recommends rescinding this policy because it should be school-based and could be noted in the student handbook.
 - ii. The committee agreed.
 2. 5141.29 School Based Health Clinic
 - i. A.Uberti and J.Paddyfote stated that Newtown has a contract with the School Based Health Clinic and does not need a policy. The current policy is very outdated and they recommend rescinding this policy.
 - ii. The committee understands why this policy was initially adopted 10 years ago.. There is an abundance of communications from the school to the parents about the clinic. The policy is not needed anymore.
 3. 5145.111 Probation/Police/Courts
 - i. This is not a required policy. The committee agreed that this policy only reference obligations that others have to inform the Superintendent.
 4. 5145.21 Middle School/High School Student Governance

- i. This policy is extremely outdated and this topic is an operational issue.
 - ii. The committee agrees to rescind this policy.
5. 5145.31 Gambling
 - i. This topic is infused into the Student Discipline policy.
 - ii. A.Plante agrees with J.Paddyfote that this policy is not grounded in anything and it is more outlined in the discipline policy.
 - iii. D.Linnetz asked if this was covered in the student handbook. A.Uberti said that she would find out.

MOTION: A. Plante moved to send the policies listed in 4.D #1 and 4.E #1-5 to the full board with a proposal to rescind. D. Linnetz seconded the motion. Motion passes unanimously.

F. Review of Policy Tracker

The committee reviewed the draft of the policy tracker. D.Linnetz suggested including the dates that the particular policy is reviewed by the policy committee and first and second reads by the BOE. The committee also asked to include if the policy is best practice vs. required. Lastly, the committee will include columns that note if there is an annual notification to parents and to the community.

S.Connell will make the edits and send it back to the committee for review.

5. Public Participation

Deborra Zukowski, Newtown, congratulated the committee on the creation of the tracker. She believes it will be a great tool for the committee and Board to finish the policy work. She also spoke about the FAFSA policy and noted that when her children were in school, she refused to fill out the form. She felt there were other families in the community that would benefit from the help and did not want to take resources away from them. She hopes that the proposed policy will not require families to fill out the form, unless it is legally required.

6. Adjourn

A.Plante made a motion to adjourn the meeting. D. Linnetz seconded. Motion was unanimously approved. Meeting was adjourned at 6:35 pm.

*These are draft minutes**

**POLICY AND ADMINISTRATIVE REGULATIONS REGARDING
HOMELESS CHILDREN AND YOUTH**

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

Legal References:

State Law:

Connecticut General Statutes § 10-186 Duties of local and regional boards of education re school attendance. Hearings. Appeals to state board. Establishment of hearing board. Readmission. Transfers

Connecticut General Statutes § 10-253 School privileges for children in certain placements, non-resident children and children in temporary shelters, homeless children and children in juvenile residential centers. Liaison to facilitate transactions between school districts and juvenile and criminal justice systems.

Federal Law:

The McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. §§ 11431 et seq., as amended by Every Student Succeeds Act, Pub. L. 114-95.

Adopted: October 15, 2024

NEWTOWN PUBLIC SCHOOLS
Newtown, Connecticut

**ADMINISTRATIVE REGULATIONS REGARDING
HOMELESS CHILDREN AND YOUTH**

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

I. Definitions:

A. **Enroll and Enrollment:** includes attending classes and participating fully in school activities.

B. **Homeless Children and Youth:** means children and youth who lack a fixed, regular, and adequate nighttime residence, including children and youth who:

1. Are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
2. Are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations.
3. Are living in emergency or transitional shelters.
4. Are abandoned in hospitals.
5. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
6. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
7. Are migratory children living in the above described circumstances.

C. **School of Origin:** means the school that a homeless child or youth attended when permanently housed or the school in which the homeless child was last enrolled. School of origin may include preschool

administered by the District and, when a homeless child or youth completes the final grade level served by the school of origin, school of origin also includes the designated receiving school at the next grade level for all feeder schools.

D. **Unaccompanied Youth:** means a homeless child or youth not in the physical custody of a parent or guardian.

II. Homeless Liaison:

A. The District's Homeless Liaison is Deborah Mailloux-Petersen.

B. The duties of the District's Homeless Liaison include:

1. Ensuring that homeless children and youth are identified by school personnel and through outreach and coordination with other entities and agencies.
2. Ensuring that homeless children and youth enroll in, and have full and equal opportunity to succeed in the District's schools, including ensuring that such homeless children and youth have opportunities to meet the same challenging state academic standards as other children and youths.
3. Ensuring that homeless families, children, and youths receive educational services for which such families, children and youth are eligible, including services through Head Start and Even Start, early intervention services under Part C of the Individuals with Disabilities Education Act and preschool programs administered by the District.
4. Ensuring that parents and guardians of homeless children and youth and unaccompanied youth receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services.
5. Ensuring that parents and guardians of homeless children and youth and unaccompanied youth are informed of educational and related opportunities available to homeless children and youth, including extracurricular activities, and that parents and guardians of homeless children and youth are provided with meaningful opportunities to participate in the education of their children.
6. Ensuring that public notice of the educational rights of homeless children under the McKinney-Vento Act is disseminated in locations frequented by parents, guardians, and unaccompanied youth in a manner and form that is understandable to them.
7. Ensuring that enrollment disputes are mediated in accordance with the McKinney-Vento Act, including carrying out the initial dispute resolution process and ensuring that homeless students are immediately enrolled pending resolution of any enrollment dispute.

8. Ensuring that parent(s)/guardian(s) of homeless children and youth and unaccompanied youth are fully informed of all transportation services, including transportation to and from the school of origin, and are assisted in accessing those services.
9. Assisting homeless children and youth in enrolling in school and accessing school services and removing barriers to enrollment and retention due to outstanding fees, fines or absences.
10. Ensuring that students who are English learners/multilingual learners are not deterred or discouraged from applying and/or accessing special academic programs and offerings, including advanced courses and programs, because they are English learners/multilingual learners or because they have interrupted formal schooling due to work-related mobility.
11. Informing parent(s)/guardian(s) of homeless children and youth and unaccompanied youth, school personnel, and others of the rights of such students.
12. Assisting homeless children and youth who do not have immunizations or immunization/medical records to obtain necessary immunizations or immunization/medical records.
13. Assisting unaccompanied youth in placement/enrollment decisions, including considering the unaccompanied youth's wishes in those decisions, and providing notice to the unaccompanied youth of the right to appeal such decisions.
14. Ensuring that high school age homeless children and youth receive assistance from counselors to advise such youths on preparation and readiness for college, including informing such children and youths of their status as independent students under the Higher Education Act of 1965 and that they may obtain assistance from the district to receive verification of this status for purposes of the Free Application for Federal Student Aid (FAFSA).
15. Ensuring collaboration with community and school personnel responsible for providing education and related support services to homeless children and youth.
16. Collaborating with and participating in professional development and technical assistance activities offered by the State Office of the Coordinator for the Education of Homeless Children and Youth.

17. Ensuring that school personnel providing services to homeless children and youth receive professional development and other technical assistance activities regarding the McKinney-Vento Act.
18. Ensuring that unaccompanied youth are enrolled in school and that procedures are implemented to identify and remove barriers that prevent them from receiving credit for full or partial coursework satisfactorily completed at a prior school, in accordance with state, local, and school policies.
19. Ensuring that information about enrollment, classes, and other educational programs and activities is made accessible to parents and guardians who have limited English proficiency.
20. With appropriate training, affirming that a child or youth who is eligible for and participating in a program provided by the District, or the immediate family of such a child or youth, is eligible for homeless assistance programs administered under Title IV of the McKinney-Vento Act.

III. Enrollment of Homeless Children and Youth:

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

IV. School Selection:

- A. Standards for School Selection:

1. The District is required to make a determination as to the best interests of a homeless child or youth in making a determination as to the appropriate school of placement.
2. In making such a determination, the District is required to keep a homeless child or youth in the child's or youth's school of origin for the duration of homelessness when a homeless child or youth becomes homeless between academic years or during an academic year; or for the remainder of the academic year if the homeless child or youth becomes permanently housed during an academic year, to the extent feasible, unless it is against the wishes of the parent or guardian or unaccompanied youth. Otherwise, the homeless child or youth shall be enrolled in a public school that non-homeless students who live in the area where the homeless child or youth is actually living are eligible to attend.
3. The District must presume that keeping the homeless child or youth in the school of origin is in the child's or youth's best interest unless doing so is contrary to the request of the child's or youth's parent or guardian, or in the case of an unaccompanied youth, the unaccompanied youth. In considering the child's or youth's best interest, the District must consider student-centered factors related to the child's or youth's best interest, giving priority to the request of the parent or guardian or unaccompanied youth.

B. Procedures for Review of School Selection Recommendation:

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

C. Dispute Resolution Process:

1. The District's Homeless Liaison shall be responsible for promoting objective and expeditious dispute resolutions, and adherence to these administrative regulations.
2. If the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth disputes the school placement decision or enrollment, the District must immediately enroll the homeless child or youth in the school in which enrollment is sought, pending resolution of the dispute. The homeless child or youth shall also have the right to all appropriate educational services, including transportation to and from the school in which enrollment is sought, while the dispute is pending.
3. If necessary, the District's Homeless Liaison shall assist parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth with completion of the necessary appeal paperwork required to file for an appeal to the Board, and provide the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth with a copy of Connecticut General Statutes Section 10-186(b).
4. Not later than ten (10) days after receipt of an appeal to the Board by a parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth, the District shall hold a hearing before the Board concerning such appeal, and such hearing shall be conducted in accordance with Connecticut General Statutes Section 10-186(b).
5. If the Board finds in favor of the Superintendent or designee, a parent or guardian of a homeless child or youth or unaccompanied youth may appeal the Board's decision to the State Board of Education within twenty (20) days of receipt of the Board's written decision, in accordance with Connecticut General Statutes Section 10-186(b). If necessary, the District's Homeless Liaison shall assist a parent or guardian of a homeless child or youth or unaccompanied youth with filing the necessary appeal paperwork to the State Board of Education. The homeless child or youth or unaccompanied youth shall remain in the child's or youth's school of origin pending resolution of the dispute, including all available appeals.

V. Services:

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

2. Language assistance services for students who have limited English proficiency to enable students who are English learners/multilingual learners to meaningfully participate in the educational programs.
 3. Transportation services.
 4. Vocational and technical education.
 5. Programs for gifted and talented students.
 6. School nutrition programs.
 7. Before and after school programs.
- B. The District shall coordinate with local social service agencies, other service providers, housing assistance providers and other school districts to ensure that homeless children and youth have access and reasonable proximity to available education and support services.

VI. Transportation:

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

Liaison to determine an apportionment of the responsibility and costs.

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

VII. Records:

An unaccompanied youth, as defined in section I.D, above, is entitled to knowledge of and access to all educational, medical, or similar records in the cumulative record of such unaccompanied youth maintained by this District.

VIII. Contact Information:

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

Deborah Mailloux-Petersen
Director of Pupil Services
Newtown Public Schools
3 Primrose Street
Newtown, CT 06470
(203)-426-7628
petersend@newtown.k12.ct.us

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

Louis Tallarita, State Coordinator
Connecticut Department of Education
450 Columbus Boulevard
Hartford, CT 06103
(860) 807-2058
Louis.Tallarita@ct.gov

Legal References:

State Law:

Connecticut General Statutes § 10-186 Duties of local and regional boards of education re school attendance. Hearings. Appeals to state board. Establishment of hearing board. Readmission. Transfers

Connecticut General Statutes § 10-253 School privileges for children in certain placements, non-resident children and children in temporary shelters. homeless children and children in juvenile residential centers. Liaison to facilitate transitions between school districts and juvenile and criminal justice systems.

Connecticut General Statutes § 10-76d Duties and powers of boards of education to provide special education programs and services. Medicaid enrollment, participation and billing requirements. Development of individualized education program. Planning and placement team meetings. Public agency placements; apportionment of costs. Relationship of insurance to special education costs. Prohibition on punishing members of planning and placement teams and birth-to-three service coordinators and qualified personnel for certain conduct.

Federal Law:

The McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. §§ 11431 *et seq.*, as amended by Every Student Succeeds Act, Pub. L. 114-95.

United States Department of Education, Office for Civil Rights, *Protecting Access to Education for Unaccompanied Children* (June 2023).

United States Department of Education, Office for Civil Rights, *Protecting Access to Education for Migratory Children* (June 2023).

Administrative Regulations Adopted:

**DISPUTE RESOLUTION PROCESS
UNDER CONNECTICUT GENERAL STATUTES SECTION 10-186**

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

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

The board, subcommittee or local impartial hearing board shall give such person a hearing not later than ten days after receipt of the written request, make a stenographic record or tape recording of the hearing and make a finding not later than ten days after the hearing. Hearings shall be conducted in accordance with the provisions of sections 4-176e to 4-180a, inclusive, and section 4-181a. Any child, emancipated minor, pupil eighteen years of age or older or unaccompanied youth who is denied accommodations on the basis of residency may continue in attendance in the school district at the request of the parent or guardian of such child or emancipated minor, pupil eighteen years of age or older or unaccompanied youth, pending a hearing pursuant to this subdivision. The party claiming ineligibility for school accommodations shall have the burden of proving such ineligibility by a preponderance of the evidence, except in cases of denial of schooling based on residency, the party denied schooling shall have the burden of proving residency by a preponderance of the evidence, unless the party denied schooling is claiming that he or she is a homeless child or youth, as defined in 42 USC 11434a, as amended from time to time, in which case, the party claiming ineligibility based on residency shall have the burden of proving that the party denied schooling is not a homeless child or youth by a preponderance of the evidence in accordance with the provisions of 42 USC 11431, et seq., as amended from time to time.

(2) Any homeless child or youth who is denied accommodations by a board of education as the result of a determination by such board, or a subcommittee of the board or local impartial hearing board, that the child is not entitled to school accommodations in the district, shall continue in attendance or be immediately enrolled in the school selected by the child in the school district pursuant to 42 USC 11432(g)(3), as amended from time to time. The board of education for such school district shall (A) provide, in accordance with the provisions of 42 USC 11432(g)(3)(E)(ii), as amended from time to time, the homeless child or youth or the parent or guardian of such homeless child or youth with (i) a written explanation of the reasons for the denial of accommodations that is in a manner and form understandable to such homeless child or youth or parent or guardian, and (ii) information regarding the right to appeal the decision of the denial of accommodations pursuant to subdivision (3) of this subsection, and (B) refer, in accordance with the provisions of 42

USC 11432(g)(3)(E)(iii), as amended from time to time, the homeless child or youth or the parent or guardian of such homeless child or youth to the liaison, designated pursuant to 42 USC 11432(g)(1)(J)(ii), as amended from time to time, who is responsible for carrying out the duties described in 42 USC 11432(g)(6)(A), as amended from time to time.

(3) Any such parent, guardian, emancipated minor, pupil eighteen years of age or older, unaccompanied youth, or agent or officer, aggrieved by the finding shall, upon request, be provided with a transcript of the hearing within thirty days after such request and may take an appeal from the finding to the State Board of Education. A copy of each notice of appeal shall be filed simultaneously with the local or regional board of education and the State Board of Education. Any child, emancipated minor or pupil eighteen years of age or older or unaccompanied youth who is denied accommodations by a board of education as the result of a determination by such board, or a subcommittee of the board or local impartial hearing board, that the child is not a resident of the school district and therefore is not entitled to school accommodations in the district may continue in attendance in the school district at the request of the parent or guardian of such child or such minor or pupil, pending a determination of such appeal, except any homeless child or youth shall be entitled to continue in attendance in the school district during all available appeals pursuant to 42 USC 11432(g)(2)(E). If an appeal is not taken to the State Board of Education within twenty days of the mailing of the finding to the aggrieved party, the decision of the board, subcommittee or local impartial hearing board shall be final. The local or regional board of education shall, within ten days after receipt of notice of an appeal, forward the record of the hearing to the State Board of Education. The State Board of Education shall, on receipt of a written request for a hearing made in accordance with the provisions of this subsection, establish an impartial hearing board of one or more persons to hold a public hearing in the local or regional school district in which the cause of the complaint arises. Members of the hearing board may be employees of the state Department of Education or may be qualified persons from outside the department. No member of the board of education under review nor any employee of such board of education shall be a member of the hearing board. Members of the hearing board, other than those employed by the state of Connecticut, shall be paid reasonable fees and expenses as established by the State Board of Education within the limits of available appropriations. Such hearing board may examine witnesses and shall maintain a verbatim record of all formal sessions of the hearing. Either party to the hearing may request that the hearing board join all interested parties to the hearing, or the hearing board may join any interested party on its own motion. The hearing board shall have no authority to make a determination of the rights and responsibilities of a board of education if such board is not a party to the hearing. The hearing board may render a determination of actual residence of any child, emancipated minor, pupil eighteen years of age or older or unaccompanied youth where residency is at issue.

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

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

**NEWTOWN PUBLIC SCHOOLS
3 Primrose Street
Newtown, CT 06470**

WRITTEN NOTIFICATION OF ENROLLMENT DECISION

[Month] __, 20__

VIA HAND DELIVERY AND U.S. MAIL

[Insert Name of Parent or Unaccompanied Youth]

[Insert Home Address]

Re: Notification of Enrollment Decision

Dear [Parent/Guardian or Unaccompanied Youth]:

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

[List factors]

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

Deborah Mailloux-Petersen
Director of Pupil Services
Newtown Public Schools
3 Primrose Street
Newtown, CT 06470
(203)-426-7628
petersend@newtown.k12.ct.us

In addition, the student listed above has the right to immediately enroll in the school of choice pending resolution of the dispute. You may provide written or verbal evidence to support your position. You may seek the assistance of advocates or attorneys at your own expense; however, you may qualify for free legal services. To inquire about free legal assistance, please call Statewide Legal Services at 1-800-453-3320. You may also contact the state coordinator for homeless education:

Louis Tallarita, State Coordinator
State Department of Education
450 Columbus Boulevard
Hartford, CT 06103

(860) 807-2058
Louis.Tallarita@ct.gov

A copy of the dispute resolution process under Connecticut General Statutes Section 10-186 is attached to this notice.

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

Sincerely,

[Name]
Superintendent of Schools

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

**NEWTOWN PUBLIC SCHOOLS
3 Primrose Street
Newtown, CT 06470**

**NOTIFICATION OF DECISION
TO APPEAL EDUCATIONAL PLACEMENT**

This form is to be completed by the parent, guardian, caretaker, or unaccompanied youth when a dispute arises. If you need assistance in preparing this form, you may meet with the District’s Homeless Liaison, Deborah Mailloux-Petersen, who can be reached at (203)-426-7628.

Person completing form: _____

Relation to Student: _____

Contact Information: _____

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

Name

Date

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

NEWTOWN PUBLIC SCHOOLS
3 Primrose Street
Newtown, CT 06470

APPENDIX D

NOTIFICATION OF HEARING
REGARDING ENROLLMENT DISPUTE

[Month] __, 20__

VIA HAND DELIVERY AND U.S. MAIL

[Insert Name of Parent or Unaccompanied Youth]
[Insert Home Address]

Re: Educational Placement

Dear [Name of Parent or Unaccompanied Youth]:

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

The hearing will be conducted in accordance with the provisions of Section 10-186 of the Connecticut General Statutes, a copy of which is enclosed. The hearing will be conducted in executive session, and the Board will make either a tape recording or a stenographic record of the hearing. You may be represented by counsel or by an advocate, at your expense, if you so desire; however, you may qualify for free legal services. To inquire about free legal assistance, please call Statewide Legal Services at 1-800-453-3320.

Please contact the District's Homeless Liaison, Deborah Mailloux-Petersen at (203)-426-7628, if you have any questions.

Sincerely,

[Name]
Superintendent of Schools

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

NEWTOWN PUBLIC SCHOOLS
3 Primrose Street
Newtown, CT 06470

STUDENT RESIDENCY AFFIDAVIT
[PARENT/GUARDIAN FORM]

[Name of District]

Name of student: Birthdate:

Name and Location of School Last Attended:

I, declare and affirm as follows:

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

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

Since (date), (name of student) has not had a permanent home. The student is currently staying at (may list multiple addresses, if applicable). The student has been staying there since (date).

This location is:

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

If the location is shared housing with other persons, please specify the reason why the student is living in such housing:

Prior to staying at this location, the student was staying at From (date) to (date).

I regularly receive my mail at: I am currently staying at the following address(es): I plan to stay at this/these location(s) until: (date). I can be reached at the following telephone number: I can be reached for emergencies at:

I authorize school district officials to contact (case worker/shelter staff/other) at to obtain further information in order to verify the information contained in this affidavit and in order to coordinate necessary services for the student.

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

AFFIANT,

Signature of Affiant

Print Name of Affiant

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

NOTARY PUBLIC

NEWTOWN PUBLIC SCHOOLS
3 Primrose Street
Newtown, CT 06470

STUDENT RESIDENCY AFFIDAVIT
[UNACCOMPANIED YOUTH FORM]

[Name of District]

Name of student: _____

Birthdate: _____

Name and Location of School Last Attended: _____

I, _____ declare and affirm as follows:

I, _____ am of school age and is seeking admission to [School District].

Since _____ (date), I, _____ have not had a permanent home. I am currently staying at _____ (may list multiple addresses, if applicable). I have been staying there since _____ (date).

This location is:

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

If the location is shared housing with other persons, please specify the reason why the student is living in such housing:
_____.

Prior to staying at this location, I was staying at _____
From _____ (date) to _____ (date).

I regularly receive my mail at: _____.
I am currently staying at the following address(es): _____,
_____. I plan to stay at this/these
location(s) until: _____ (date). I can be reached at the following telephone number:
_____. I can be reached for emergencies at: _____.

I authorize school district officials to contact _____ (case worker/shelter staff/other) at _____ to obtain further information in order to verify the information contained in this affidavit and in order to coordinate necessary services for me.

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

AFFIANT,

Signature of Affiant

Print Name of Affiant

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

NOTARY PUBLIC

NEWTOWN PUBLIC SCHOOLS
3 Primrose Street
Newtown, CT 06470

AFFIDAVIT FOR MISSING ENROLLMENT DOCUMENTATION
[PARENT FORM]

[District]

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

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

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

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

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

_____.

I understand that I must obtain the necessary immunization and health records and provide a copy to the District. I understand that the Homeless Liaison is available to assist me in obtaining any such immunization or health records. The Homeless Liaison is _____ and can be reached at _____.

AFFIANT,

Signature of Affiant

Print Name of Affiant

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

NOTARY PUBLIC

NEWTOWN PUBLIC SCHOOLS
3 Primrose Street
Newtown, CT 06470

AFFIDAVIT FOR MISSING ENROLLMENT DOCUMENTATION
[UNACCOMPANIED YOUTH FORM]

[District]

I, _____, being duly sworn upon oath and based on my personal knowledge hereby state and affirm the following information regarding my missing enrollment documentation for the following:

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

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

Three horizontal lines for listing reasons.

The name and location of the last school I attended is

Horizontal line for school name and location.

I understand that I must obtain the necessary immunization and health records and provide a copy to the District. I understand that the Homeless Liaison is available to assist me in obtaining any such immunization or health records. The Homeless Liaison is _____ and can be reached at _____.

AFFIANT,

Signature of Affiant

Print Name of Affiant

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

NOTARY PUBLIC