

**BOE Policy Committee Agenda**  
**Monday, March 11, 2024, 9:30 am – 11:00 am**  
**Municipal Building, BOE Conference Room**  
**3 Primrose St. Newtown, CT 06470**

**CALL TO ORDER**  
**IN ATTENDANCE**  
**PUBLIC PARTICIPATION**  
**APPROVE MINUTES** February 26, 2024

**OLD BUSINESS**

**Discussion and possible action:**

Item	Reports
<p><b>Policy 3542.22 – Food Service Personnel – Code of Conduct</b>            The committee will discuss any feedback from the BOE’s first read.</p>	<ul style="list-style-type: none"> <li>• Discussion and Possible Action</li> </ul>
<p><b>Policy 6114.6 – Emergency Closings</b>            The committee will discuss any feedback from the BOE’s first read.</p>	<ul style="list-style-type: none"> <li>• Discussion and Possible Action</li> </ul>
<p><b>Policy 6114 – Emergencies and Disaster Preparedness</b>            The committee will review the final edited version of this policy.</p>	<ul style="list-style-type: none"> <li>• Discussion and Possible Action</li> <li>• S. Connell will invite M. Pompano to this policy meeting.</li> </ul>
<p><b>Policy 6114.1 – Fire</b>            The committee will review the final edited version of this policy.</p>	<ul style="list-style-type: none"> <li>• Discussion and Possible Action</li> <li>• S. Connell will invite M. Pompano to this policy meeting.</li> </ul>
<p><b>Policy 6114.7 – Safe Schools</b>            The committee will continue considering additional revisions to this policy.</p>	<ul style="list-style-type: none"> <li>• Discussion and Possible Action</li> <li>• S. Connell will invite M. Pompano to this policy meeting.</li> </ul>

**NEW BUSINESS**

**Discussion and possible action:**

Item	Reports
<p><b>Policy 6153.1 – International Student Travel</b>            The committee will review CABE’s sample policy for possible adoption.</p>	<ul style="list-style-type: none"> <li>• Discussion and Possible Action</li> </ul>

**UPDATE FROM THE SUPERINTENDENT**  
**PUBLIC PARTICIPATION**  
**ADJOURNMENT**

*A sample policy to consider. (Federal regulations require a written code of conduct for employees engaged in the procurement process for the National School Lunch Program, School Breakfast Program and the Summer Food Services Program)*

## **Business/Non-Instructional Operations**

### **Food Service**

#### **Food Service Personnel - Code of Conduct**

The following conduct is expected of all persons who are engaged in the award and administration of contracts supported by the Child Nutrition Program (CNP) funds. These programs include the National School Lunch Program, School Breakfast Program, Child and Adult Care Food Program, and Summer Food Service Program.

No employee, officer or agent of the Newtown School District shall participate in selection or in the award or administration of a contract supported by program funds if a conflict of interest, real or apparent, would be involved.

To ensure objective contractor performance and eliminate unfair competitive advantage, a person that develops or drafts specifications, requirements, statements of work, invitations, for bids, requests for proposals, contract terms and conditions of other documents for use by the child nutrition program in conducting procurement shall be excluded from competing for such procurements. Such persons are ineligible for such procurements regardless of the procurement method used.

Conflicts of interest arise when a school district employee:

1. Has a financial or other interest in the firm selected for the award;
2. Is an employee, officer, or agent of the firm selected for the award;
3. Has a member of the immediate family who is an employee, officer or agent of the firm selected for the award;
4. Is about to be employed by the firm selected for the award; or
5. Has a member of the immediate family who is about to be employed by the firm selected for the award.

The Newtown School District employees, officers or agents shall neither solicit nor accept gratuities, favors, or anything of material monetary value from contractors, potential contractors or parties to sub-agreements.

The purchase during the school day of any food or service from a contractor for individual use is prohibited.

## **Business/Non-Instructional Operations**

### **Food Service**

#### **Food Service Personnel - Code of Conduct (continued)**

Newtown Board of Education employees, officers and agents shall be governed by the following rules:

1. The purchase during the school day of any food or service from a contractor for individual use is prohibited.
2. The removal of any food, supplies, equipment or school property, such as official records, recipe books, and the like is prohibited unless express permission of the Food Service Coordinator/Business Manager/Cafeteria Supervisor has been granted.
3. The outside sale of such items as used oil, empty cans and the like will be sold by contract between the Newtown School District and the outside agency.
4. Individual sales by any school person to an outside agency or other school person are prohibited.

Failure of any employee to abide by this Code of Conduct could result in a fine, suspension or dismissal.

#### **Resolution of Controversies**

Any actual or proposed supplier who is aggrieved in connection with a proposed purchase may protest to the Superintendent or his/her designee.

1. The protest shall be in writing.
2. The protest shall be delivered within 10 days of the action which is being aggrieved.
3. A hearing will be scheduled within 15 days of receipt of protest.
4. The proposed purchase will be delayed until the protest is resolved unless the delay will result in disruption of meal service to children. In the event it is determined that the purchase is necessary, an emergency shall be declared by the Superintendent/Assistant Superintendent for Business/purchasing agent and emergency purchase procedures will be followed until protest resolution.
5. The decision of the hearing officer shall be in writing and shall be delivered to the aggrieved supplier with proof of delivery required.
6. The aggrieved supplier shall be notified that an appeal of the hearing officer's decision is possible. The appeal request should be written and addressed to the Board of Education.

## **Business/Non-Instructional Operations**

### **Food Service**

#### **Public Access to Procurement Information**

1. Procurement information shall be a public record to the extent provided in Connecticut's Freedom of Information law.
2. All bid/offers shall be taken under advisement. Between the time an IFB/RFP is opened and awarded it may be viewed by any company or individual who entered a response, to the proposed intent to purchase.
  - a. Any supplier providing information, as a part of a proposal or offer shall stamp each page or sealed envelope, which they consider proprietary information, "not for public release."
  - b. Should the school district receive a request to release this marked information the supplier shall be notified within 24 hours and given 10 working days to obtain a court order to stop release.
  - c. In 10 working days the party requesting the information shall be provided a copy of the court order or instructions on when the information may be reviewed.
3. After acceptance, procurement information is available to the general public except as noted above.

(cf. 3320 – Purchasing Procedures)

(cf. 3323 – Soliciting Prices, Bids)

(cf. 3326 – Ordering Goods and Services, Paying for Goods and Services)

(cf. 3542 – School Lunch Service)

(cf. 3542.31 – Participation in the Nutritional School Lunch Program)

(cf. 3542.33 – Food Sales Other Than National School Lunch Program)

(cf. 3542.34 – Nutrition Program)

(cf. 4118.13/4218.13 – Conflict of Interest)

(cf. 6142.101 – Student Nutrition and Physical Wellness, School Wellness)

Legal Reference: Connecticut General Statutes

10-215 Lunches, breakfasts and other feeding programs for public school children and employees.

10-215a Nonpublic school and nonprofit agency participation in feeding programs.

10-215b Duties of State Board of Education re feeding programs.

## **Business/Non-Instructional Operations**

### **Food Service**

Legal Reference: Connecticut General Statutes (continued)  
10-216 Payment of expenses.  
State Board of Education Regulations  
10-215b-1 School lunch and nutrition programs.  
10-215b-11 Requirement for meals.  
10-215b-12 Reimbursement payments. (including free and reduced price meals)  
Child Nutrition and WIC Reauthorization Act of 2004, 42 U.S.C. Section 1751.  
School Lunch and Breakfast Programs 42 U.S.C. Section 1751 et seq.  
National Food Service Programs, Title 7 Code of Federal Regulations, 7 CFR Part 210, Part 220, Part 215, Part 245.  
42 U.S.C. Sec. 1758(h)/7 CFR Sect 210.13, 220.7 (School Food Safety Inspections).  
Federal Register (74 Fed. Reg. 66213) amending federal regulations (7 CFR Part 210 and 220).  
P.L. 111-296 Healthy, Hunger-Free Kids Act of 2010 (HHFKA), 42 U.S.C. 1751  
7 CFR Parts 210 & 220 – Nutrition Standards in the National School Lunch & School Breakfast Programs.  
Nondiscrimination on the Basis of Handicap in Programs or Activities  
Title 7 Chapter 11 of the Code of Federal Regulation Federal Management Circular A- 102, Attachment 0 FNS Instruction 796-1 Revision 2.  
2 CFR 200.318 General Procurement Standards

Policy adopted:

## Instruction

### Emergency Closings

Every attempt will be made to keep schools open according to the calendar approved by the Board of Education. However, there are times when emergency closing of schools is necessary.

Closing of schools, late opening, or early dismissal for inclement weather or emergency conditions will be decided by the Superintendent of Schools or designee based upon the best possible information available.

The Superintendent will consult with Newtown Police Department, Department of Public Works, local meteorologists, local Superintendents and Newtown Public School's Director of Facilities, as appropriate, to determine the need to close or delay school.

The Superintendent or designee will notify the Building Principals, the Bus Company, and the Maintenance Department/Head Custodian as soon as a decision is reached. ~~They~~ The Superintendent will be responsible for informing staff.

In the case of closing the schools for weather or emergencies, administrators and non-certified personnel should make every effort to reach their assigned duties as soon as roads are passable or the emergency condition is deemed safe by school administrators.

Emergency or discretionary leave may be used for those unable to reach a building unless the Superintendent or designee feels conditions are severe enough that all employees are dismissed from attending work.

Every effort will be made to notify impacted school community of the status of opening, by phone, by posting on the District web site, by email and through television and radio broadcasts.

(cf. 6111 - School Year/School Calendar)

Legal Reference: Connecticut General Statutes  
10-15 Towns to maintain schools.

Policy adopted:

## Instruction

### Emergencies and Disaster Preparedness

The Board of Education, using a district security and safe committee ("DSSC") composed of the Superintendent, the Director of Security and other designated district personnel as the Superintendent may determine, shall develop and maintain the District's emergency operations plans ("EOP") including district-level and individual school-level security and safety plans. recognizes its obligation to students, staff and the community to be prepared to deal with various emergencies as they arise, ensuring to the greatest extent possible the safety of District students, staff and visitors. Such security and safety plans shall utilize an all-hazards approach and utilize the School Security and Safety Plan template made available by the Department of Emergency Services and Public/ Division of Emergency Management and Homeland Security (DESPP/DEMHS). The district-level and individual school-level security and safety plans shall be compliance with the National Incident Management System (NIMS), and incorporate the National Incident Command System, and be based upon the School Security and Safety Plan Standards issued by the Department of Emergency Services and Public Protection.

The Superintendent shall be responsible for the EOP in partnership with the Director of Security and the DSSC. The DSSC shall meet on a regular basis and will rely on community involvement, including but not limited to the chief executive officer of the municipality, law enforcement, fire, public health, and emergency management to develop and maintain the EOP, including district-level and individual school-level security and safety plans. *At least one Board of Education member shall serve as a Board liaison to the DSSC, and the Superintendent shall report to the full Board of Education on matters of security and safety promptly following each meeting of the DSSC.*

The administration shall require the Building Principal to maintain procedures for fire, civil defense, and other emergencies, in accordance with the District's plan and to ensure the maintenance of the fire alarm system and regular and emergency exits of all buildings. Each school shall establish a school security and safety committee ("SSSC"), to meet at least annually, that will assist in the developing and administering implementation of the school's security and safety plan. The Director of Security shall work closely with school Principals and their respective SSSC to develop district-wide and individual school security and safety plans. *Each individual school security and safety plan and any subsequent changes shall be approved in writing by the superintendent.*

The Board of Education shall direct the Superintendent and/ or their designee to conduct a security vulnerability assessment of each school every two years; the results of which shall be incorporated into the EOOP, including district-level and individual school security and safety plans, and reported to the DEMHS Regional Coordinator.

A crisis management plan will be developed and maintained as part of the EOP and shall ensure an established set of directives to guide the actions of those involved and responsible for the safety of students and property. The crisis management plan shall be developed and maintained within the context of the four recognized plans for crisis management (1) Preparedness, (2) Response, (3) Recovery, and (4) Mitigation. In accordance with Policy 6114.1, district-level and school-level emergency response drill activities related to fire safety and other emergencies will be conducted by the District to ensure adherence to EOP and individual school security and safety plan processes and procedures, incident command, internal and external communication, and the orderly movement and place of students to the safest available space(s) should an emergency occur, including, but not limited, to the following:

- Severe weather
- Fire
- Flood
- Terrorism
- Missing student(s)
- Suicide
- Threatening person(s)
- Weapons/ explosives found on school site
- Any other situation the Safe Schools Committee deems appropriate

The Superintendent, or his/her designee, is responsible for maintaining communication with other community agencies to share information on preparedness and planned emergency response procedures set forth in the EOP. It shall also be the responsibility of the Superintendent to ensure that each school in the district works in cooperation with these other community agencies during such emergencies.

Emergency preparedness and response procedures should be periodically discussed with teachers, parents/guardians and students as deemed appropriate by the district and/or individual school-level administrators. Each classroom shall have ready access to emergency response procedures, including, but not limited to fire, safe school mode, shelter in place, and evacuation (“Classroom Emergency Materials”) and such Classroom Emergency Materials as are appropriate for public dissemination shall be made readily accessible to parents/guardians at the start of each school year and thereafter at any time upon request. All District personnel shall make themselves familiar with these procedures.

Crisis management must be viewed as a continuous process in which all phases of the EOP are being reviewed and revised. The EOP must be continuously updated based upon experience, research and changing vulnerabilities.

~~In addition to the District Emergency Preparedness Plan, all building safety and security plans must be compliant with the National Incident Management System (NIMS), incorporate the National Incident Command System and be based upon the standards issued by the Department of Emergency Services and Public Protection. Governmental agencies and bodies vested with the responsibility for directing and coordinating emergency services on local and state levels shall be included in the preparation and implementation of the plan.~~

~~The District will cooperate with local law enforcement, fire department and civil defense authorities and other civic agencies in the event of a declared emergency situation.~~

### **First Aid**

~~At least one person at each school site should hold current first aid and/or CPR certification.~~

- (cf. 5141.6 – Crisis Prevention/Response)
- (cf. 5142 – Student Safety)
- (cf. 6114.1 – Fire Emergency/Crisis Response Drills)
- (cf. 6114.3 – Bomb Threats)
- (cf. 6114.6 – Emergency Closings)



(cf. 6114.7 – Safe Schools)

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules

10-231 Fire drills

52-557b Immunity from liability for emergency medical assistance, first aid or medication by injection. School personnel not required to administer or render.

P.A. 13-3 An Act Concerning Gun Violence Prevention and Children's Safety (Section 86, 87, 88)

10-222m – School security and safety plans. School security and safety committees

10-222n – School security and safety plan standards

Policy adopted: New, 6/3/2014

*This sample letter contains some issues on which parents/guardians are deeply concerned.*

*The purpose of this sample letter is to generate ideas for a similar letter designed to meet a district's specific circumstances and plans.*

**Letter to Parents Regarding Student Safety**

**PUBLIC SCHOOLS**

**, Connecticut**

Date

Re: Student Safety

Dear Parents:

The District's top priority is student safety. In addition to physical safety, the District is concerned with the emotional well-being of students and will help students cope with an emergency or disaster and its aftermath. Our emergency and disaster response plans are as follows:

**Safety Plans**

The District has plans for the four phases of emergency and disaster management:

1. **Preparedness** – planning for an emergency or disaster event;
2. **Response** – planned response to an emergency or disaster event;
3. **Recovery** – the process of returning to normal operations; and
4. **Mitigation** – steps taken to minimize the effects of an emergency or disaster.

These plans are covered in each school's site-based safety plan. In addition, the District has a Safety Program Coordinator. Each school also has a Crisis Management Team.

### **Communications**

The District monitors the Homeland Security Office and other emergency preparedness resources. The District will disseminate emergency information via its website, information hotline, through the media and by telephone contact.

### **Emergency Responses**

Emergency responses will depend on the circumstances and may include evacuation, shelter-in-place or lockdown. For evacuation purposes, each school has at least one off-campus site where students and staff assemble. If the threat is chemical or biological in nature, to avoid contamination, we ask that no one enter or leave the building until it is safe to do so.

In the event your child's school is evacuated, the school will attempt to notify you as soon as possible at the home and/or emergency numbers provided previously to the school. The news media will also be notified.

All students at \_\_\_\_\_ School will go to \_\_\_\_\_. You may pick-up your child at this location after notifying the school official in charge. Additional instructions will be given in the event of an evacuation, including alternative methods to return your child home.

### **Cooperation and Assistance Request**

During any emergency or potential disaster and for the safety of all students and staff, we request that you follow the instructions of the District's Safety Program Coordinator as well as the Building Principal. These instructions will be widely disseminated.

Defamatory or disruptive behavior will only lessen our response effectiveness.

If you have any questions, please feel free to contact the District office or your child's Principal.

Thank you for your understanding, cooperation and support.

Website Address: \_\_\_\_\_

Information Hotline Number: \_\_\_\_\_

Sincerely,

Superintendent of Schools

DRAFT

**Instruction****Fire Emergency (Drills)/Crisis Response Drills/Bus Safety Drills**

A fire drill shall be held at least once a month in each school building. The initial fire drill must be held not later than ~~thirty ten~~ days after the first day of ~~school~~ each ~~school~~ year. In addition to the initial fire drill, each school shall conduct a safe school mode drill, shelter in place drill, fire/ campus evacuation drill and a lockdown drill no later than thirty days after the first day of school. Afterwards, A crisis response drill shall be substituted for one of the required monthly school fire drills every three months. All emergency response drills shall be scheduled and the results documented in the district's emergency exercise software.-

Each Building Principal shall prepare a ~~definite comprehensive~~ fire emergency plan, ~~and furnish to all teachers and students information~~ as to route and manner of exit and furnish it to all staff and students. Fire drills shall be planned ~~in such a way as and conducted~~ to accomplish the evacuation of school buildings in the shortest possible time and in the most efficient and orderly fashion.

The format of the crisis response drill shall be developed in consultation with the ~~appropriate local law enforcement agency~~ District Security and Safety Committee (DSSC). Further, a representative of the ~~local~~ law enforcement agency, ~~fire department, and/or town emergency management team~~ may supervise and participate in any of the required crisis response drills. Such drills shall incorporate the basic protocols of ~~fire evacuation, safe school mode lock in open lockdown, lock in closed~~ lockdown, ~~campus~~ evacuation and shelter-in-place responses. The activation and utilization of the Incident Command System shall also be a part of the ~~se~~ crisis response drills.

~~Bus safety drills shall be conducted at least two (2) times during each school year to instruct students in safe riding practices and emergency evacuation. The school principals and the designated school transportation authority will develop schedules and plans to implement the required safety drills.~~

Principals shall ~~keep maintain~~ a record of all fire, ~~and~~ crisis response ~~and bus safety~~ drills held in their schools in the district's emergency exercise software, stating the date and time the drill was held, ~~and the time required for the response protocols utilized into complete the drill utilizing the appropriate response procedures, actions taken prior to the drill to notify parents/ students of the drill (if needed), as well as actions taken following the drill to address opportunities for improvement. They shall furnish such reports to the Superintendent or his designate as may from time to time be required.~~

Local law enforcement and other local public safety officials ~~shall may~~ evaluate, score and provide feedback on fire drills and crisis response drills conducted pursuant to Connecticut General Statutes 10-231. "Public Safety Officials" include the local emergency management director, fire marshal, building inspector and emergency medical services representative. Each of the named officials should evaluate and provide feedback on a representative sampling of fire/crisis response drills each year. The Board of Education shall annually submit reports to the Department of Emergency Services and Public Protection regarding such fire drills and crisis response drills.

(cf. 5141.6 – Crisis Management Plan)  
 (cf. 5142 – Student Safety)  
 (cf. 6114 – Emergencies and Disaster Preparedness)

Legal Reference: Connecticut General Statutes

10-231 Fire drills. (as amended by PA 00-220 and PA 09-131)

P.A. 13-3 An Act Concerning Gun Violence Prevention and Children's Safety

10-222m – School security and safety plans. School security and safety committees

10-222n – School security and safety plan standards

Policy adopted: 6/3/2014 (This policy replaces 2-500)

DRAFT

## Instruction

### School Security and Safety

The Board of Education is committed to the prevention of violence against people or property in the schools or at school activities, whether by students, staff, or others. While committed to the protection of each person's constitutional rights, including due process rights, the Board does not condone lawlessness. Any individual committing violent acts on school property will be disciplined according to applicable Board policy and regulations.

Staff members who implement this or any other Board policy will receive the full support of the Board and the administration.

Each school's School Security and Safety Committee (**SSSC**) will review specific policies, regulations, plans and procedures in order to ensure a comprehensive and effective program to prevent and punish vandalism and violence occurring in the schools and on district property. Simultaneously with the work of the committee, the Superintendent of Schools and appropriate school administrators shall review the practices at each school and shall submit a separate report to the Board including any findings and recommendations on the implementation of committee suggestions on these and other policies, regulations, plans and procedures concerning safety.

The advisory committee shall examine the policies, regulations, plans and procedures concerning:

1. student conduct and discipline;
2. the maintenance of public order on school property;
3. the banning of weapons on school property with the exception of approved security personnel;
4. drug and alcohol abuse;
5. school emergency management;
6. coordination efforts with law enforcement agencies;
7. searches and seizures by school officials;
8. training for staff and students in conflict resolution and violence prevention; and
9. building security measures including procedures governing visitors to the schools and access to school buildings.

The Board shall **direct the Superintendent and/or his designee to** conduct a security and vulnerability assessment of each school ~~annually~~ **every two years** and use the results to maintain the District's Emergency Operations Plan and each school's security and safety plan.

Development of the District's Emergency Operations Plan and each school's security and safety plan will be the responsibility of the **Superintendent** ~~Director of Security~~ in partnership with the **Director of Security and the** District Security and Safety Committee (DSSC). The DSSC includes a variety of professionals with expertise in emergency management, (e.g., chief executive officer of the municipality, police, fire, district security, superintendent, and emergency medical services personnel), as well as community partners such as public and mental health professionals and school based staff. The DSSC shall work closely with school **Principals and their respective SSSC** ~~based crisis response teams~~ to develop ~~district-wide and~~ building-specific emergency ~~management~~ **response** plans. Such plans shall be compliant with the National Incident Management System (NIMS), ~~and~~ incorporate the Incident Command System (ICS), and remain compliant with the standards for such plans issued by the Department of Emergency Services and Public Protection (DESPP).

**Instruction**

**School Security and Safety (continued)**

The crisis management plan shall be developed within the context of the four recognized phases of crisis management:

- **Mitigation/Prevention** - addresses what schools and the District can do to reduce or eliminate the risk to life and property.
- **Preparedness** - focuses on the process of planning for the worst-case scenario.
- **Response** - is devoted to the steps to take during a crisis.
- **Recovery** - pertains to how to restore the learning and teaching environment after a crisis.

Crisis management must be viewed as a continuous process in which all phases of the plan are being reviewed and revised. The plan must be continuously updated based upon experience, research and changing vulnerabilities.

(cf. 5131 - Conduct at School and Activities)

(cf. 5131.5 - Vandalism)

(cf. 5131.6 - Drugs/Alcohol and Tobacco)

(cf. 5131.8 - Out of School Misconduct)

(cf. 5131.9 - Gang Action by or Association)

(cf. 5141.6 – Crisis Management Plan)

(cf. 5146 - Child Abuse and Neglect)

(cf. 5142 - Student Safety)

(cf. 5147 - Suicide Prevention)

(cf. 5143 - Student Health Assessments and Immunizations)

(cf. 5144 - Administering Medications)

**Instruction**

**School Security and Safety (continued)**

(cf. 5145 - Communicable and Infectious Diseases)  
(cf. 5114 - Suspension/Expulsion/Exclusion/Removal)  
(cf. 6114 - Emergencies)  
(cf. 6161.11 - Drugs/Alcohol and Tobacco)

Legal Reference: Connecticut General Statutes

4-176e through 4-185 Uniform Administrative Procedure Act.  
10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.  
10-221 Boards of education to prescribe rules.  
10-233a through 10-233f re in-school suspension, suspension, expulsion. (As amended by PA 95-304, An Act Concerning School Safety).  
52-572 Parental liability for torts of minors. Damage defined.  
53a-3 Firearms and deadly weapons.  
53-206 Carrying and sale of dangerous weapons.  
53a-217b Possession of firearms and deadly weapons on school grounds.  
PA 94-221 An Act Concerning School Safety.  
PA 95-304 An Act Concerning School Safety.  
PA 97-290 An Act Enhancing Educational Choices and Opportunities.  
GOALS 2000: Education America Act.  
18 U.S.C. 921 Definitions.  
Title III - Amendments to the Individuals with Disabilities Education Act.  
Sec. 314 (Local Control Over Violence).  
Elementary and Secondary Education Act of 1965 as amended by the Gun Free Schools Act of 1994.  
*New Jersey v. TLO.*, 469 U.S. 325; 1055. CT. 733.

Policy adopted: June 3, 2014  
Policy revised: August 14, 2018

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut



# **INTERNATIONAL STUDENT TRAVEL**

*(BACKGROUND INFORMATION FOR POLICY REVIEW COMMITTEE)*

PAGE 1

Thousands of students travel abroad each year in groups touring and learning about the various countries and cultures of the world. These tours offer a variety of educational opportunities. They can be focused on traditional academic interests such as history, art, religion, and architecture, as well as on language immersion, the performing arts, and cultural exposure. Public schools are often at the center of these travel events because of this enriching experience, and because some tours offer students the opportunity to earn academic credit. As a result, school teachers often sponsor tours, sometimes by themselves or working with a few other teachers.

## **Major Things to Consider in Sponsoring a Student Tour**

There are numerous aspects of international student travel (IST), to consider. They include the following:

- Does the tour offer educational value to students? Does the board of education have a policy on IST? Is the tour being conducted in accordance with the school board's policy?
- Is the tour school sponsored or non-school sponsored, and is that clear to the participants and especially the parents/guardians?
- Is there high quality planning and supervision?
- Is there adequate liability insurance? Who provides coverage: District or tour operator or both?
- Are there potential safety/security risks at the destination?
- Is there a risk/crisis management plan in place?
- Was the tour company's contract reviewed by the school board attorney to ensure the school board's policy and liability protection requirements are met?

## **Need for Policy on International Student Travel**

Whether the school board sponsors IST or not, a policy is recommended. A school district that sponsors IST or endorses a tour company that provides IST needs a policy to ensure that the planning and management of the tour will be done with the requisite degree of professionalism and due diligence. This is necessary whether or not a tour company is used. If the school district does not sponsor IST, it is still important to have a policy. That policy is the district's first step in giving notice to staff and parents that any foreign travel may not be school sponsored. It also should provide procedures to employees who are considering sponsoring a private tour to minimize the chance that students and parents will presume the tour to be school sponsored.

## **School Sponsored and Non-School Sponsored Tours**

Every trip involving children who are students in the district should be thought of as either school sponsored or non-school sponsored. School district liability hinges on this distinction. The answer should be very clear to the district, and most importantly, to the parents/guardians.

# **INTERNATIONAL STUDENT TRAVEL**

*(BACKGROUND INFORMATION FOR POLICY REVIEW COMMITTEE)*

PAGE 2

School board policy and its implementation should ensure that the school district's sponsorship of a foreign trip cannot be reasonably debated because lack of clarity creates liability. If a parent of a student harmed on a trip has a legitimate expectation that the school sponsored the trip, through its employees, the school district faces the costs of litigation, possible settlement, and judgment, in addition to adverse publicity. Understanding and communicating when a school district is sponsoring an IST means local schools are not held responsible for something about which a school district had no role in planning and managing.

## **Types of International Student Travel and School District Involvement**

International student travel falls into the following three categories:

1. **School sponsored and school district managed:** The tour is school sponsored, and the school district manages the tour. The school district arranges all aspects of the trip itinerary, travel arrangements, lodging, tours, restaurants, local guides, ground transportation, etc.
2. **School sponsored and tour company managed:** The tour is school sponsored, and the school district contracts with a tour company to manage the trip.
3. **Non-school sponsored:** A tour takes place involving students of the district, perhaps even with a teacher serving as the host, but the trip is not sponsored by the district. These are purely private trips/tours.

## **IST Policy/Procedural Requirements for School Sponsored Trips**

1. Include a procedure for administrative approval within the school system, which should be based in part on educational relevancy.
2. Ensure district insurance is adequate.
3. Establish chaperone selection process, criteria, and ratio.
4. Require checking and rechecking of U.S. State Department travel advisories, available at [travel.state.gov](http://travel.state.gov) and the Centers for Disease Control and Prevention (CDC) at [cdc.gov](http://cdc.gov).
5. Require registration of the trip with the local U.S. Embassy via the State Department's Smart Traveler Enrollment Program (STEP).
6. Establish a code of conduct policy, address foreign alcohol and drug laws, and provide for return of a student for disciplinary reasons.
7. Establish appropriate safety, crisis, and risk management plans.
8. Require mandatory information meeting with students and parents.
9. Provide for training of chaperones.
10. Require retention of trip documents, signed medical disclosures and releases, etc., at least until the expiration of the statute of limitations for filing a claim.

# **INTERNATIONAL STUDENT TRAVEL**

*(BACKGROUND INFORMATION FOR POLICY REVIEW COMMITTEE)*

PAGE 3

11. Specify the elements of permission, release, waiver, and medical history forms with legal advice. An attorney can provide valuable assistance in drafting permission forms that provide adequate notice, releases and waivers that are neither too narrow nor too broad, and medical forms that comply with confidentiality laws.
12. Establish procedures for collecting pertinent health information including medical/prescription needs and for addressing students' health needs and any constraints (including food allergies) that might impact a student's ability to fully participate or keep up with the group's planned activities.
13. Remain up-to-date on state and local requirements.
14. Apply these same requirements to school district endorsement of a tour operator or individual's IST.
15. Require a tour company's contract to be reviewed by the school board attorney in advance of signing to ensure that it satisfies the school board's policy and provides sufficient protection against liability.

## **IST Policy/Procedural Requirements for Non-School Sponsored Trips**

A policy permitting school sponsored IST should also address non-school sponsored IST, because private trips by teachers and others may take place. Although the requirements and concerns of the district are quite different in the case of non-school sponsored IST, there are several critical elements that should be included:

1. Clear notice to staff and parents/guardians that some IST in which students might engage will not be school sponsored.
2. A requirement that any materials for such trips expressly and prominently state that the trip is not school sponsored or endorsed.
3. A requirement that the tour operator or individual teacher acknowledges to the district that the trip is not school sponsored or endorsed.
4. A prohibition on the use of school resources, including student databases and communication vehicles, in the planning, promotion, or administration of a private trip.
5. Prohibitions against employee use of school time to promote, discuss, or manage a private trip/tour.
6. Procedures for employees who are considering sponsoring a private tour to minimize the chance that students and parents will presume the tour to be school sponsored and to follow local rules regarding use of school facilities

## **Elements of a Policy Prohibiting School Sponsored IST**

If the board of education elects to prohibit school sponsored IST, that decision should be formalized in a written board policy, and the policy should be publicized to the students and parents/guardians. Publication should include more than placing it in the standard online collection of board policies. The board's policy should be given visibility on the website and in regular school communications.

# **INTERNATIONAL STUDENT TRAVEL**

*(BACKGROUND INFORMATION FOR POLICY REVIEW COMMITTEE)*

PAGE 4

One of the most important things for a school district to do is to ensure that students and parents/guardians participating in a non-school sponsored trip know that it is not school sponsored.

From a parent's perspective, a tour can appear to be school sponsored by one or more of the following actions:

- Tour information distributed by school staff in class;
- Tour materials and money returned to the teacher at school;
- Materials that give only the teacher's name, with no company or organization;
- Fundraising through the school;
- Stating that class credit will be provided;
- Holding tour-related meetings on school property; and/or
- Publicizing the tour in school-generated media either before or after the trip.

These actions by staff may cause a parent/guardian to think the staff member is acting in their capacity as an employee of the school district, or, in legal terms, as an agent of the school district. A school district should prohibit these types of activities to preempt the possibility of an erroneous impression of school sponsorship.

The best approach is to always insist on an express disclaimer of school sponsorship. The disclaimer should state that the tour is not school sponsored and appear on each item of tour literature.

## **Use of Tour Companies to Manage IST**

A tour company offers the opportunity for greater liability protection, because of the expertise that comes with professional management. A tour company will likely think of and understand details around IST that the school staff might miss. Many tour companies will have established safety protocols and crisis/risk management procedures. As a general rule tour operators may practice a higher standard of care in the industry, precisely because they are experienced in this arena. They may carry liability insurance that can help your school district spread potential risk. The exact terms of insurance should be reviewed, with professional assistance if necessary, prior to selecting a tour company to ensure the company's insurance meets district needs and expectations.

## **Liability Insurance**

There are several types of insurance to consider in planning for an IST. The most significant, for the district, is liability insurance. Check with the district's insurance agent or risk management staff to see if the district's general liability policy covers IST, and the dollar amount of the liability coverage.

# **INTERNATIONAL STUDENT TRAVEL**

*(BACKGROUND INFORMATION FOR POLICY REVIEW COMMITTEE)*

PAGE 5

The district may want to increase its coverage for foreign travel. One million dollars in coverage may seem like a lot, but in the context of the risk associated with foreign travel for a group of students, it may be woefully inadequate. If considering a tour company, review its coverages, exclusions, and liability limits carefully before making a selection. Tour companies will typically limit their risk by disclaiming liability under certain circumstances.

## **Other Insurance**

It is advisable for travelers to purchase medical insurance (including repatriation and overseas medical case management coverage), lost or delayed baggage insurance, and cancellation insurance. As with any insurance decision, review the terms and coverages carefully, and get professional assistance as needed. Clearly describe the coverages and exclusions to students and parents. Trip cancellation insurance, for example, will normally not cover a trip cancelled because the school district cancels all field trips for fiscal or safety or security reasons. Many kinds of cancellation insurance advertised as “Cancel for Any Reason” (CFAR) will only reimburse parents for 75 percent of the trip cost and will themselves have certain exclusions. Medical coverage also should be reviewed to see whether the coverage is primary or secondary.

## **Ethics Issue**

Tour companies typically give a free trip to a sponsoring teacher, and additional trips for the teacher to use at his/her discretion based on the number of students registered. Some companies also offer “loyalty” benefits to teachers for sponsoring multiple tours in the form of points, goods, or cash. It is advisable to check the school district’s ethics policy to see if the receipt of these trips and or benefits constitutes a prohibited gift or benefit.

Source: This overview is excerpted from “Bon Voyage! A Legal and Policy Making Guide for School Boards on International Student Travel,” NSBA, May 2014.

## **Policy Implications**

Policy #6153.1, “Educational Tours,” pertains to this issue. An administrative regulation is also provided. This is considered an optional policy for inclusion in a district’s policy manual.

*Optional policy in which district states it will **not** approve student travel to foreign countries by teacher-sponsored private trips/tours.*

## **Instruction**

### **Educational Tours**

The \_\_\_\_\_ School District does not endorse, sanction, sponsor or approve student travel to foreign countries. The Board of Education (Board) recognizes that District students and staff may participate in travel programs to foreign countries often marketed as a cultural experience related to a world language or a community service opportunity. However, these programs are sponsored by outside agencies, not by the Board.

District staff who participate in these programs are working as agents of these independent agencies and not as employees of the \_\_\_\_\_ School District. It is the obligation of staff members serving in these programs to make it expressly clear that their role is independent of the School District and that there is no direct or indirect District sponsorship of the trip/tour or the staff members involved in the program. The Board assumes no legal or financial responsibility for these programs or trips/tours.

Employees entering into contracts or agreements with commercial agencies, without formal District approval, do so at their own risk. As such, any activity trip not approved by the Board is considered a private venture. The Board shall not be a co-sponsor of any such trip.

In addition, the Board will not approve or authorize the participation of staff or students if the trip/tour coincides with a scheduled school day. Student absence shall not be excused. Students shall be required to make up any missed academic assignments. A request for professional leave by a staff member to participate in such trip/tour will not be accepted. Consequently, employees will not receive compensation from the District for the days missed due to participation as a chaperone or leader of a foreign travel program. Employees are considered not eligible for selected benefits provided to employees by the District, such as workman's compensation, when they are working in the service of an independent agency that sponsors these trips.

Employees engaging in such a private venture, cooperating with, receiving benefit from, or serving as agents of a commercial agency, shall not use school work time, materials or other District resources, including student databases and communication vehicles to promote, plan, organize, recruit students or administer for the Board non-sponsored trip.

If an employee cooperates with a commercial agency in organizing such a trip/tour during a school vacation period, the employee shall provide participating students and their parents/guardians with a written disclaimer that states the trip/tour is an event not sponsored or endorsed by the Board of Education. District employees who are considering sponsoring a private trip/tour shall make a concerted effort to use such procedures necessary to minimize the chance that students and their parents/guardians would presume the trip/tour to be school or District sponsored.

## **Instruction**

### **Educational Tours (continued)**

Any agency or independent organization seeking to promote these programs must comply with all applicable District policies and administrative procedures. This includes, but is not limited to, policies and regulations pertaining to the use of school facilities, and distribution of fliers. Any distributed materials for such trips/tours must expressly and prominently state: “This program is not sponsored or endorsed by the \_\_\_\_\_ School District.” This disclaimer should appear on each item of tour/trip literature. The tour operator and/or the teacher sponsoring such trip shall acknowledge in writing to the Board that the trip/tour is not school or District sponsored or endorsed.

This policy is to be publicized to students and their parents/guardians via student/parent handbooks and on District and school websites.

(cf. 1140 – Distribution of Materials to and by Students)

(cf. 1140.1 – Distribution of Non-School Literature)

(cf. 1324 – Fundraising)

(cf. 1330 – Use of School Facilities)

(cf. 3515 – Community Use of School Facilities)

(cf. 6153 – Field Trips)

(cf. 6153.11 – Non-Educational Field Trips)

Policy adopted:

cps 4/15

*Optional policy to consider in which the district may approve an educational tour.*

## **Instruction**

### **Educational Tours**

As a supplement to a particular course of instruction, staff members may conduct educational tours, within or outside the District, the State of Connecticut or the United States, for the students or employees, or both, of any school or schools within the District. Such tour/trip is subject to District approval. Approval shall be based upon the educational relevancy to the proposed trip/tour.

Any approved trip/tour by the Board of Education (Board) to a destination outside of the United States shall be subject to U.S. State Department and Centers for Disease Control and Prevention travel advisories. In addition, any Board approved international student travel trip/tour requires registration of the trip with the local U.S. Embassy via the State Department's Smart Traveler Enrollment Program (STEP).

Foreign travel trips utilizing a tour company shall have the contract reviewed by the Board's attorney in advance of signing to ensure that it satisfies school Board policy and provides sufficient protection against liability.

No student or employee may participate in such a tour unless he/she has accident and health insurance coverage protecting against bodily injury, disability or death while participating in the tour. Each student participating in the tour must provide an Emergency Treatment waiver signed by the parent or guardian to include emergency phone numbers and hospital insurance policy number and/or other data deemed necessary to implement this policy. School funds may not be used for any expenditures incurred on such a tour.

Employees entering into contracts or agreements with commercial agencies, without formal District approval, do so at their own risk. As such, any activity trip not approved by the Board is considered a private venture. The Board shall not be a co-sponsor of any such trip. Any distributed materials for such trips/tours must expressly and prominently state: "This program is not sponsored or endorsed by the \_\_\_\_\_ School District." This disclaimer should appear on each item of tour/trip literature. The tour operator and/or the teacher sponsoring such trip shall acknowledge in writing to the Board that the trip/tour is not school or District sponsored or endorsed.

#### ***Alternate language:***

*As a supplement to a particular course of instruction, staff members may conduct educational tours, within or without the District, the State of Connecticut or the United States, for the students or employees, or both, of any school or schools within the District.*



## Instruction

### Educational Tours

*Alternate language:* (continued)

*Educational tour participants are required to have accident and health insurance coverage protecting against bodily injury, disability or death while participating in the tour. In addition, school funds may not be used for any expenditures incurred on such a tour, whereas school funds may be expended for a field trip. Each student participating in the tour must provide an Emergency Treatment waiver signed by the parent or guardian to include emergency phone numbers and hospital insurance policy number and/or other data deemed necessary to implement this policy.*

(cf. 1140 – Distribution of Materials to and by Students)

(cf. 1140.1 – Distribution of Non-School Literature)

(cf. 1324 – Fundraising)

(cf. 1330 – Use of School Facilities)

(cf. 3515 – Community Use of School Facilities)

(cf. 6153 – Field Trips)

(cf. 6153.11 – Non-Educational Field Trips)

Policy adopted:

rev. 4/15

*CABE's optional regulation.*

**Instruction**

**Educational Tours**

**School Sponsored Tours**

1. Administrative approval for the tour must be based upon educational relevancy. Requests for such trips shall include the essential outcomes/educational standards for the trip.
2. All school District policies, including those pertaining to student conduct shall apply to international student travel.
3. District insurance must be reviewed with the insurance carrier to determine adequacy.
4. The participants on the tour, employees, and students, must show evidence of accident and health insurance. The Principal will have on file the documents which indicate that each participant of the tour has insurance and include the policy numbers when necessary.
5. The students and adults participating in the tour must be responsible for their own travel expenses and living expenses while on the tour. No school funds or educational funds will be utilized for any expenses incurred on such tours.
6. The Principal will be responsible to see that all Board of Education policies and administrative procedures are followed.
7. The Principal will be responsible for reviewing tours and will forward a recommendation concerning all suggested tours to the Superintendent for review.
8. Any tour out of the country shall then be forwarded to the Board of Education by the Superintendent with a recommendation for Board of Education consideration and possible approval. The recommendation will take into account any foreign travel warnings or cautions issued by the U.S. State Department.
9. Pre-approval in writing from the District's insurance company must be obtained by the District prior to departure.
10. A mandatory information meeting with students and their parents/guardians shall be held prior to the initiation of the tour. Parents and students shall be provided with information concerning the purpose and destination of the trip, transportation and eating arrangements, date and time of departure, estimated time of return, and a detailed itinerary.
11. Adequate supervision, based on the number of students and the travel involved, shall be provided by the District as directed by the Superintendent or his/her designee.
12. Chaperones shall be trained, as deemed necessary.
13. School District staff shall review acceptable standards of conduct with the students in advance of the trip/tour.
14. Student safety will be a primary consideration. School District staff sponsoring international student travel shall establish or procure written safety, crisis, and risk management plans.

## Instruction

### Educational Tours

#### School Sponsored Tours (continued)

15. All trip documents, signed medical disclosures and releases, etc., shall be retained at least until the expiration of the statute of limitations for filing a claim.
16. Permission forms and medical forms are to be reviewed by the Board's attorney.
17. Procedures are to be established for collecting pertinent health information including medical/prescription needs and for addressing students' health needs and any constrains, including food allergies that might impact a student's ability to fully participate or keep up with the group's planned activities.
18. The tour company's contract is to be reviewed by the Board's attorney, prior to signature.

#### Non-School Sponsored Tours

1. The District does not sponsor, provide, or facilitate non-school-sponsored international travel.
2. School District employees must not participate in or make arrangements for international travel involving District students that appear to be school sponsored.
3. The teacher acting as a private agency must advise the school of intent to plan such tours.
4. Students will not be contacted during regular school hours. The Principal may approve a limited number of meetings related to the proposed educational tour to be held in the school building. (*Alternate:* Meetings for non-school-sponsored international travel shall not be held on school property.)
5. No pressure of any kind will be exerted on students to influence their participation.
6. Clear and definitive statements from agents must accompany all materials and literature advising the Principal that the school is not in any way sponsoring or participating in the educational tour activity.
7. The teacher acting as a private agency must file a list of participants ten days in advance of the intended trip in order to afford the school an opportunity to advise parents that the school is not sponsoring or participating in the educational tour.

Regulation approved:

rev. 4/15